



Accredited Employer Work Visa Job Check Policy



MINISTRY OF BUSINESS,
INNOVATION & EMPLOYMENT
HĪKINA WHAKATUTUKI

immigration.govt.nz

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MBIE Opening Karakia

Tāwhia tō mana kia mau, kia māia

Ka huri taku aro ki te pae kahurangi,

kei reira te oranga mōku

Mā mahi tahi, ka ora, ka puāwai

Ā mātau mahi katoa, ka pono, ka tika

TIHEI MAURI ORA

Retain and hold fast to your mana, be bold, be brave

We turn our attention to the future,
that's where the opportunities lie

By working together, we will flourish and achieve greatness

Taking responsibility to commit to doing things right

TIHEI MAURI ORA



We all know each other, so no need for introductions ☺

But just so you know the reason I'm doing this delivery today is, because I'm a Learning Facilitator at Immigration Learning team which sits under the Immigration Design and Assurance branch.

When we have people moving into new products, there is the need for the business to facilitate them with learning on things that are going to be relevant in their new line of work.

The Accredited Employer Work Visa policy



Today's workshop is going to focus on instructional side of Job Check, and a little bit of the ways of processing.

The reason its not looking at lot of processing is mainly because that can be branch specific.

1. They will have their own resources, short-cuts available to guide you through processing and you will have the chance to work with TAs on these things soon.
2. You already had a look at the current ways of processing when you completed the Job Check Redesign e-module.

So the focus in this session is to have an opportunity to get familiar with our JC instructions and understand how they apply to the way we process.

Although the it is the ways of processing that we follow when we process applications, it is good to know and understand where all that comes from, the reasons for each aspect raised to be assessed, and to be able to understand what each piece of information means.

Better you understand things, easier it will be for you to get on with your work.

So we might be able to run through all the information fairly quickly.

If we can complete everything before mid-day, will be a win for all of us 😊

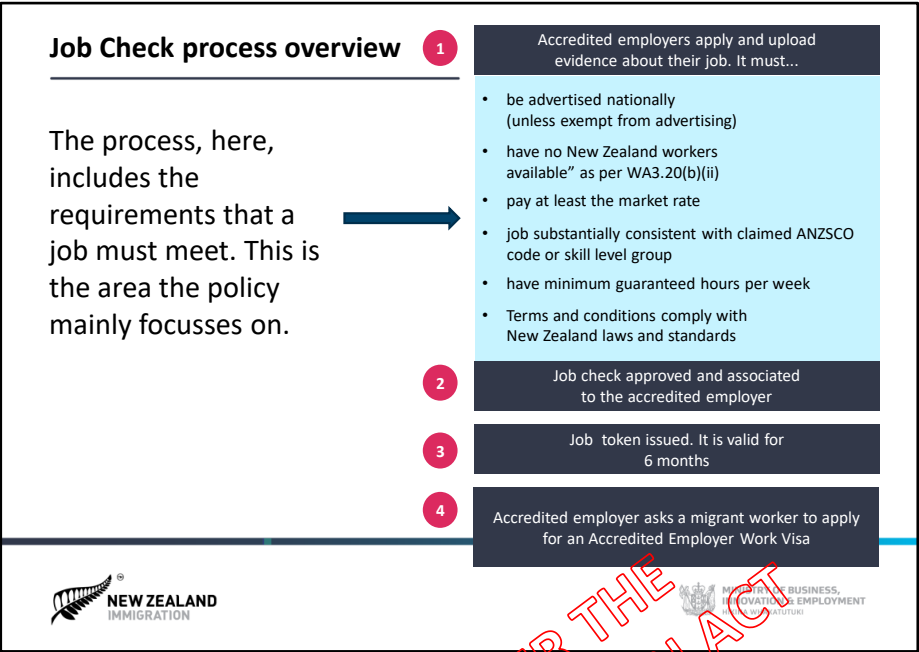
Objective of Employer Accreditation instructions (WA1.1)

The Accredited Employer Work visa policy contributes to overall work instructions objective by:

- incentivising employers to employ more New Zealanders to respond to skill and labour shortages over time
- ensuring that employers only recruit non-New Zealand citizen or residents for genuine shortages
- reducing risks around business models and practices that might enable migrant exploitation
- ensuring that employers are compliant with specific employment, immigration and business standards



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While the policy focuses on these key factors, depending on the nature of the application, employer declarations, and other information relevant to the application, you may sometimes not see ALL of these factors raised to be assessed in one application.

Applying for a Job Check (WA3.5)

- Applications must be made using the INZ **online form**.
- Employers must include **evidence** demonstrating that they meet the Job Check instructions, including:
 - a detailed job description; and
 - if a labour market test is required, evidence of advertising the job.
- A **fee** must be paid.
- **Multiple jobs** may be included in a Job Check application if certain details are the same for all jobs.



details that need to be the same to allow multiple jobs:

occupation,

location,

remuneration,

type of agreement (permanent or fixed term), job description,

where a labour market test is required (WA3.20(a)), the jobs are included in the same set of advertising

If a restaurant wants to hire 1 x Chef and 2 x Chef de Parties, these roles could not all be included in the same job check, because even though they are all Chefs, they are not all the same type of Chef, and have different job descriptions. In this case the employer would apply for one Job Check for 1 x Head Chef, and another Job Check for the 2 x Chef de Parties.

INZ Tools - Global Process Manual (SOPs)

- Go to Te Taura > INZkit > Processing applications
- Under Global Process Manual click **“View”**
- Click on **“Accredited Employer”**
- Click on **“Job Check – Assess application”**
- Click on **“Assess Job Check – Full list of assessment criteria”**



Please have the SOP page open as we will be going there several times to familiarise ourselves with current guidelines and new ways of working on JC application

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Requirements for a Job Check (WA3.10)

EMPLOYER MEETS
ACCREDITATION
REQUIREMENTS

THE EMPLOYMENT IS
ACCEPTABLE
WA3.15

THE JOB MEETS THE
LABOUR MARKET
TEST WA3.20

QUALIFICATION AND SKILL
LEVEL REQUIREMENTS OF
THE JOB

FOR STANDARD
ACCREDITATION,
UP TO 5 JOBS



We will look at each of these requirements in details

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Employer no longer meets Accreditation requirements ([WA3.10.5\(c\)](#))

If there is information that indicates an employer may no longer meet the requirements of their accreditation (as set out in WA2 instructions), an immigration officer may:

- Request additional information from the employer or other parties in line with WA3.10.5(a)(iii) above for the purposes of undertaking verification ([WA2.50](#)).
- Postpone making a decision on the application while the employer's accreditation is being considered (or has been referred) for suspension and/or revocation ([WA2.55](#)).



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Acceptable Employment (WA3.15)

- Employer requirements
- Remuneration requirements
- Terms and conditions



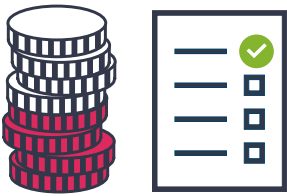
There are three parts to acceptable employment.
I'll let you go through the instructions, and discuss if we have any questions.

What stands out to you the most

Labour Market Test

What is a Labour Market Test?

Before an employer can recruit a migrant candidate for their business, they must first test the labour market to ensure that there is no NZ citizen or resident who can fill the role.



What is a Labour Market Test?

Before an employer can recruit a migrant candidate for their business, they must first test the labour market to ensure that there is no NZ citizen or resident who can fill the role. It's all part of incentivising employers to employ more New Zealanders to respond to skill and labour shortages

Read WA3.20

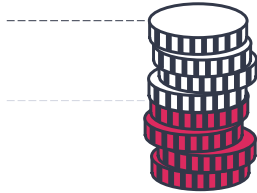
Labour Market Test (WA3.20)

The job has to be advertised and the Labour Market Test (LMT) must be met for all jobs, except where:

pays **\$70.00** per hour
(or equivalent annual salary)

or

is on the **Green List**



The labour market test must be met for all jobs to approve a Job Check, except where:

- i. the remuneration for the proposed employment is \$70.00 per hour or above, or the equivalent annual salary ([WA3.30](#)); or
- ii. the proposed employment is for an occupation included on the Green List, and the minimum requirements for the job include the requirements on the list for that occupation (appendix 13)

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 (WA3.20.1); and
the employer did not find suitable and available New Zealand workers for the job.

Evidence that the labour market test is met must include:

- i. evidence of the advertising required by WA3.20.1 below including the content, dates, duration, and platform of the advert(s); and
- ii. a declaration from the employer about whether they found any suitable and available New Zealand workers for the job, through the advertising.

The employer makes a declaration about the outcome of the labour market test which we take at face value, there is no need to scrutinise whether any New Zealanders who applied were suitable or not.

This part is very important as this is can be a key piece of information we use for processing

Lets jump into SOP and see what is available there to assist us with the LMT

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Genuine attempts to recruit suitable New Zealanders (WA3.20.1)

Genuine attempts to recruit suitable New Zealanders must have been made, before a Job Check can be submitted.

Where	- On a general national job listing website; or by other means likely to attract suitable New Zealand citizen or resident workers. E.g an industry-specific job site Engage with Work and Income for roles assessed as ANZSCO skill level 4 and 5
When	- For at least 14 calendar days where the role is classified as ANZSCO, or listed in Appendix 20 NOL skill level 1 – 3 - For at least 21 calendar days where the role is classified as ANZSCO skill level 4 or 5 - End date is within 90 days of the Job Check application being submitted
What	The advertisement must have included: - a job description - the key terms and conditions of employment - the minimum qualifications, work experience, skills or other specifications required 



Again, we don't need to see evidence unless the employer declaration indicates family member being considered for the job

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Requirement to engage with Work and Income (WA3.20.3)

(a) Before submitting a Job Check application for a role which is assessed as ANZSCO skill level 4 or 5 (see WA3.20(c)(iii)), the employer must have engaged with Work and Income, which requires the employer to:

- i. list the role with Work and Income, unless Work and Income advise that there is no supply of workers available; and
- ii. interview candidates referred that the employer deems suitable (see WA3.20.10); and
- iii. act in good faith at all times when engaging with Work and Income to recruit any suitable Work and Income candidates for the role, and when interviewing any suitable candidates.



Read WA3.20.2

Why are we moving to a declaration based approach?

The policy intent is a move towards incentivising employers to consider the domestic labour market, and be able to take action against an employers where there are strong reasons to believe they had no good intention of hiring a jobseeker who was suitable.

Employers are now required to declare in their job check application form that they have engaged with MSD and acted in good faith. This will remove unnecessary steps from the current process.

In most cases, the declaration will be taken at face value at the application stage. However additional scrutiny will be applied post-decision.

If post decision checks identify a declaration has been made falsely, depending on the severity, this would result in accreditation being revoked or suspended, or a warning being placed to prompt IOs to request evidence of engagement in the employer's next job check.

Refer learners to look at SOP and find guidance around our approach on

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Guidance for common requirements in advertising to determine whether they are excessive or unnecessary



Work experience/
qualifications significantly
above ANZSCO



Foreign language/cultural
skill requirements



Accommodation-related
requirements



Driver's licence
requirements



Non-smoker or drug testing
requirements



Qualifications in 'any field'



Vague or unspecified
requirements



Advertisement states
qualification OR experience,
and one of those exceeds
ANZSCO



Quick refresher

Explain: WA3.20.1(e)(i) sets out that the minimum qualification/work experience requirements in the advertising must only include those necessary to perform the work, and you're already using this in your assessments.

Let's go through what kinds of requirements might be considered excessive or unnecessary based on the 'common scenarios' outlined in SOPs.

Work experience or qualifications significantly above ANZSCO

You generally should not be concerned if requirements are slightly above ANZSCO... but should assess if they are significantly above.

- **Foreign language or cultural skill requirements**

Ad includes a foreign language requirement, but it is unclear why this would be necessary for the position.

- **Accommodation-related requirements**

"Must live on the farm" or "Must live in on-site accommodation" only acceptable if there is a specific business reason.

- **Driver's licence requirements**

Being able to commute to the workplace is not part of performing the work on offer - requiring a driver's licence for this purpose is not acceptable.

- **Non-smoker or drug testing requirements**

Requirements around drug testing are generally acceptable, but 'no smoking' must have a business reason.

- **Qualifications in 'any field'**

Qualifications in 'any field' are less likely to be necessary to perform the work than qualifications in a relevant field.

- **Vague or unspecified requirements**

Where the amount of experience/level of qualification required is unspecified - it is highly unlikely that this would discourage suitable New Zealanders from applying.

- **Advertisement states qualification OR experience, and one of those exceeds ANZSCO**

Generally acceptable - as one of the requirements does not exceed ANZSCO, unlikely to discourage suitable New Zealanders

Explain Reinforce that this is a judgement-based assessment, not a checklist - IOs must consider context and rationale. IOs need to think critically and avoid unnecessary PPIs.

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ADEPT triggers when declared requirements significantly exceed ANZSCO [WA3.20.1\(e\)\(i\)](#)

Skill Level	Level of qualification declared that will trigger assessment of WA3.20.1(e)(i) in ADEPT	Level of work experience declared that will trigger assessment of WA3.20.1(e)(i) in ADEPT
5	Level 4 or higher	Two or more years
4	Level 4 or higher	Three or more years
3	Level 7 or higher	Five or more years
2	Level 9 or higher	Five or more years
1	n/a	n/a



What’s changed – ADEPT trigger

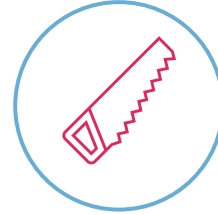
Explain: Previously, IOs assessed WA3.20.1(e)(i) manually and often inconsistently. Now, ADEPT triggers this assessment only when the declared requirements in the Job Check form significantly exceed ANZSCO.

Summarise: eg SL3: triggers if employer declares qualification is Level 7+ or experience is 5+ years.

Explain: If ADEPT doesn’t trigger the criteria, you generally don’t need to assess WA3.20.1(e)(i). But IOs can still raise concerns manually if something stands out in the advertisement, for example advert includes a foreign language requirement but it is unclear why this would be necessary for the position.

Determining 'minimum requirements' - ANZSCO

- Go to: <http://aria.stats.govt.nz/aria/>
- Select **Classifications** menu/Search
- Scroll down to find:
Australian and New Zealand Classification
of Occupations V1.3.0
- Use the **Browse tab** to locate a job
- Use the **Definition tab** within the job to
find details of the job



What is ANZSCO?

The Australian and New Zealand Standard Classification of Occupations (ANZSCO) This is a skill-based classification used to classify all occupations and jobs in the Australian and New Zealand labour markets.

We need to assess proposed employment against the ANZSCO descriptions when assessing Job Check applications to determine which policy settings apply. There are additional requirements for level 4 or 5 - or lower skilled - roles.

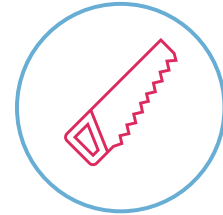
For additional requirements for L 4,5 jobs, read WA4.12 English Language Requirements

<https://aria.stats.govt.nz/aria/#ClassificationView:uri=http://stats.govt.nz/cms/ClassificationVersion/hgbQw1g89dLcxOHS>

<https://aria.stats.govt.nz/aria/#ClassificationView:uri=http://stats.govt.nz/cms/ClassificationVersion/Mdw53225zgPiNmW4>

Determining 'minimum requirements' - NOL

- Appendix 20 – National Occupation List (NOL) skill level 1 to 3 occupations recognised for the purposes of Accredited Employer instructions



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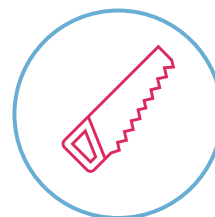
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Determining 'minimum requirements' (WA3.20.5)

Questions

- What tasks are listed in the definition for this job?
- What does ANZSCO specify as the indicative skill level for this role?
- The employer has specified 10 years experience as required for the role. Is that necessary to perform the work on offer?
- The employer has specified 0 years experience and no qualification as required for the role. Is that sufficient to perform the work on offer? Why/why not?
- The employer has specified that the employee must have a driver's licence. Is that necessary to perform the work on offer? Why/why not?



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Determining the occupation and skill level of the job

- Go to: *WA3.16 Determining the occupation and skill level of the job.*
- In assessing the occupation and skill level of the proposed role using the ANZSCO, or Appendix 20 what will an IO always do?
- Can an immigration officer determine a job is at a different skill level to the one declared by the employer?



The assessment of a substantial match involves a determination of whether the employment is substantially consistent with the ANZSCO or, for those occupations listed in [Appendix 20](#), NOL description of the:

- occupation (6-digit) level; and
- tasks listed at the ANZSCO or, for those occupations listed in Appendix 20, NOL Unit Group (4-digit) level for that occupational group, excluding any tasks which are not relevant to the occupation description.

The employment assessment is required to determine the skill level of the proposed role and has either one or two stages:

Stage One is always required. This is where you determine if the proposed role is substantially consistent with an ANZSCO occupation – **using the SOP Undertake an employment assessment.**

Stage Two is sometimes required – this is where you determine if the proposed role is a substantial match to an ANZSCO occupation, **using the SOP Undertake a substantial match assessment.**

The first step of the employment assessment is reviewing the employment evidence (pay rate, job description, evidence of advertising etc) noting any concerns

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Determining the occupation and skill level of the job

Occupations listed at Appendix 7

WA3.16(d), (e)

LEVEL 4 ANZSCO SKILL LEVEL NOW TREATED AS LEVEL 3

- 351411- Cook
- 361113 - Pet Groomer
- 361115 - Kennel Hand
- 421113 - Nanny
- 452111 - Fitness Instructor
- 821712 - Scaffolder
- 831212 - Slaughterer

Also recognised as skill level 3 where the employer has specified that the job needs either: **three years of work experience, or a level four qualification** as part of the job check:

- 721111- Agricultural and Horticultural Mobile Plant Operator
- 721214- Excavator Operator
- 721311- Forklift Driver
- 721999- Mobile Plant Operators not elsewhere classified



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Market Rate

Job offers must specify a rate of pay **not less than the market rate for New Zealand workers** in that occupation. (WA3.15.5(b))

Employment of migrant workers should not undermine the wages and conditions of New Zealand workers, displace New Zealanders from employment opportunities or hinder improvements to wages or working conditions.

- Where a pay range is proposed at the Job Check stage, the **assessment of whether the market rate is met should be based on the bottom end of the range.**
- The market rate must be **met at the time the Job Check application is made**, rather than based on proposed future pay increases offered to the Accredited Employer Work Visa applicant.



Market rate isn't a new instruction, and you may have assessed whether the applicant's proposed job meets the market rate before, however as part of the March changes - specifically the removal of requirements related to median wage - the requirement to be paid market rate may need to be considered more frequently.

It is possible that a greater proportion of Job Check applications will likely be submitted based on a pay rate which is lower than the New Zealand market rate.

We are therefore making some changes to the operational approach to market rate and providing clear guidance on how to interpret and apply the them.

Immigration officers need to be aware of a range of sources containing salary information and should come to their own conclusions as to whether a pay rate provided is appropriate, taking into account all information that is available.

Allowing employers to recruit from offshore with pay rates below the market rate

can have the effect of driving down the rates offered to New Zealand workers and affect genuine attempts to recruit locally.

Click

Where a pay range is proposed at the Job Check stage, the assessment of whether the market rate is met should be based on the bottom end of the range.

The market rate must be met at the time the Job Check application is made, rather than based on proposed future pay increases offered to the Accredited Employer Work Visa applicant.

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Market Rate - Resources

- Tahatu
- SEEK
- Federated farmers
- Hays



<http://tahatu.govt.nz>

<https://www.fedfarm.org.nz/>

<https://www.hays.net.nz/salary-guide>

Tahatu career Navigator is our primary market rate source. However, if we could not find market rate information for the respective role or if the offered rate of pay does not align with the market rate information, we may need to look up other market rate sources before sending a PPI

When you can consider PPI

Only consider taking PPI action where the pay rate offered is significantly outside the market rate.

Consider:

- how far the pay rate is from the market rate
- and whether a New Zealander applying for the job would be discouraged by the pay rate



IOs should only consider taking PPI action where the pay rate offered is significantly outside the market rate. IOs should also consider how far the pay rate is from the market rate, and whether a New Zealander applying for the job would be discouraged by the pay rate.

CLICK

Where the pay rate is marginal or slightly outside a range and the employer is otherwise low risk/meets all instructions, the Job Check application may be approved.

Calculating remuneration (WA3.25)

Remuneration includes:

- reasonable deductions for goods or services specified in the employment agreement
- any accommodation provided (See policy for details/variations.)

Remuneration excludes:

- other employment-related deductions or allowances (e.g. For tools)
- Non-guaranteed, performance-based rates, commissions or bonuses.



Read WA3.30 stop at 'remuneration includes'

What remuneration excludes Ask: What is excluded from the definition of remuneration, in these instructions?

Answer: a. For the purposes of these instructions, remuneration excludes:

- i. other employment-related deductions or allowances (for example tool, or uniform allowances); and
- ii. piece rates, commissions or bonuses which are dependent on performance and not guaranteed, even if these are considered reasonable.

Notes • Piece rates are performance-based payments for completing a certain task, that are paid over and above the standard rate of wage or salary. For example, a meat worker may be paid an additional amount for each carcass of meat they cut up.

- If an immigration lawyer or consultant challenges our calculation of remuneration, you can ask for some assistance from TAs

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Determining the location of the job (WA3.20.15)

- The location is where the work is **entirely or principally carried out or based**, as per the information provided in the Job Check application.
- If the work is proposed to be carried out or based in more than one location, an immigration officer may determine that the job is located in **multiple locations**.
- Regions are based on **regional council boundaries** and cities are based on **city council boundaries**.
- An immigration officer may **request further evidence** to determine where the job is located.



Ask: What is the point of us recording the location of a job?

Answers:

- The objective is to minimise the migrant exploitation risk. If the job requires someone to work at multiple locations, then this should be included in the job advertisement/job check stage.
- Location information also assists with labour market test because where the job is located is one of the key terms. If the job is based in Invercargill and no one who lives there applies, it is unlikely (unless remote working is allowed) that the job can be filled by a NZ resident or citizen.

Determining the location of the job (WA3.20.15)

Factors to be taken into account:

- The nature of the role
- The reasons they are working in a different location
- The work that will be done
- How much work in each location is required



Ask: What is the point of us recording the location of a job?

Answers:

- The objective is to minimise the migrant exploitation risk. If the job requires someone to work at multiple locations, then this should be included in the job advertisement/job check stage.
- Location information also assists with labour market test because where the job is located is one of the key terms. If the job is based in Invercargill and no one who lives there applies, it is unlikely (unless remote working is allowed) that the job can be filled by a NZ resident or citizen.

Approach to multiple location Job Checks

- Only check that the job was advertised in each location
- Accept at face value that location is the same for all jobs
- No need to confirm all roles will go to each location unless information suggests separate roles
- New fields reduce RFIs
(e.g. reasons for employment, reasons for multiple regions)

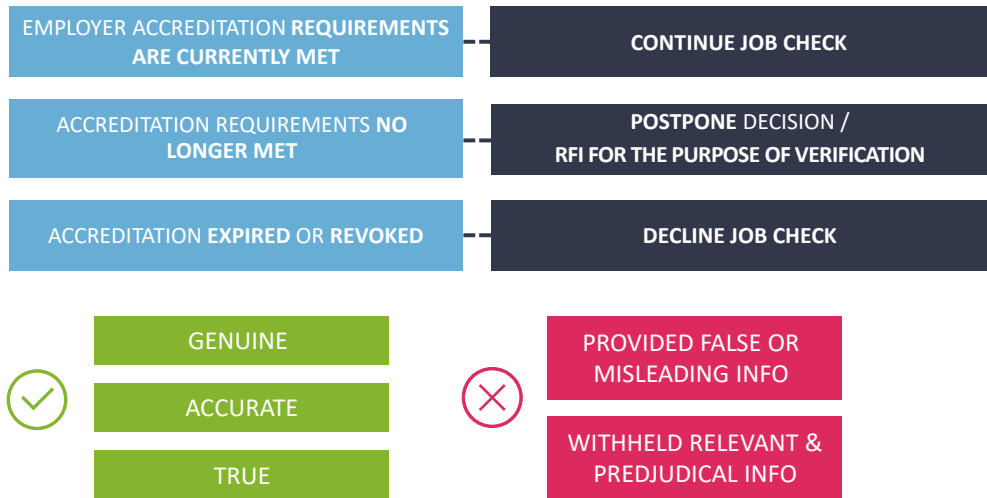


These changes aim to improve efficiency without introducing more risk. They help ensure:

- Declining where advertisement does not state “must work in XYZ locations” adds little value. Multi-location roles are less appealing to New Zealanders and harder to fill than single-location ones
- Accepting the location is the same for all roles at face value is low risk if the LMT is met and INZ is satisfied the employer has work in each location.
- JC instructions also require that T&C's of multi-location employment do not disadvantage the employee. Further checks add limited value to AEWV objectives

Reinforce that this is a judgement-based assessment, not a checklist - IOs must consider context and rationale.

Processing and verification requirements (WA3.10.5)



Read instructions

- What are the main options you have at your disposal when processing a Job Check application?

Answer: Approve, postpone or decline an application.

- When would you approve an application? Answer: When the requirements in the policy have been met.
- When would you postpone an application? Answer: When the employer no longer meets, (or appears to not meet) the requirements or when their accreditation is suspended. You would wait until they either have revoked or current/approved Employer accreditation status.
- When would you decline an application? Answer: When the employer accreditation is expired or revoked or where job check instructions are not met

Despite Accreditation being expired, an immigration officer may consider postponing a decision on the Job Check application if the employer has made a new application for employer accreditation that is undecided.

If an employer's accreditation is suspended, an immigration officer must postpone any decision to approve a Job Check application until the suspension ends

False and misleading information

Ask: At what other time might you decline a Job Check application?

Answer: An immigration officer may decline an application for a Job Check if they are satisfied that an employer:

- i. provided false or misleading information in support of the Job Check application; or
- ii. withheld relevant information that was prejudicial to approval of the Job Check application.

Ask: What three characteristics must the provided information satisfy?

Answer: The IO must be satisfied the provided information is Genuine, Accurate and True.

Explain: An immigration officer may, where necessary:

- i. take steps necessary to verify information that is provided as part of an application for a Job Check is genuine, accurate and true; and
- ii. request evidence, including additional information not specified in these instructions, from employers, migrant employees, and other parties, such as other parts of the Ministry of Business, Innovation and Employment and other government agencies, to determine whether an employer meets the requirements for a Job Check.

In most cases information can be accepted at face value unless a risk is identified. It is more likely an application would be declined as a result of not meeting core requirements, rather than solely on the fact that the employer has provided false information.

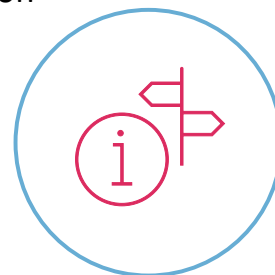
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Considering a Job Check application (WA3.10.10)

Employers will be given the opportunity to comment before a decision to decline an application based on any **potentially prejudicial information** (PPI).

Waivers may be granted, taking into account:

- all the circumstances of the application; &
- the objectives of the instructions; and
- the situation of the employer.



Waivers must be approved by an Immigration Manager or higher.



- This section of the instructions relates mostly to the PPI process and waivers. Waivers must be approved by an Immigration Manager or higher.
- You will learn the system steps for processing PPIs and waivers in later ADEPT system training.

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Employers holding standard accreditation (WA3.10(d))

A Job Check application for an employer holding standard accreditation will not be approved if it results in more than 5 jobs being associated to the employer.

This is because a Standard Employer Accreditation can apply for a maximum of 5 jobs. There are other accreditation types for 6 or more jobs.



Employers holding standard accreditation (WA3.25)

This point is as simple as it sounds.

Explain: ADEPT will check how many jobs the employer already has associated to them. You may receive an assessment activity if the employer is proposing to exceed the maximum number allowed under standard accreditation,

Summarise this section and what we have covered so far

- AEWV encourages businesses to hire, train and upskill New Zealand workers before they hire migrants.
- Part of the job check process requires the employer to provide evidence the job is genuine, that they've

attempted to fill the role with someone living in New Zealand and eligible to work here. The role must pay at least \$29.66 per hour (median wage) – exceptions may apply. We used some resources to look up the 'going rate' for different roles.

- The duties of the role, qualifications and experience are also important. You can use ANZSCO website to establish key duties of a role and what might be involved.

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Currency and approval of a Job Check (WA3.50)



APPROVED FOR 6 MONTHS. IT IS EITHER IS RENEWED, EXPIRES, OR IS REVOKED.



APPROVED JOB CHECKS SHOW THE:

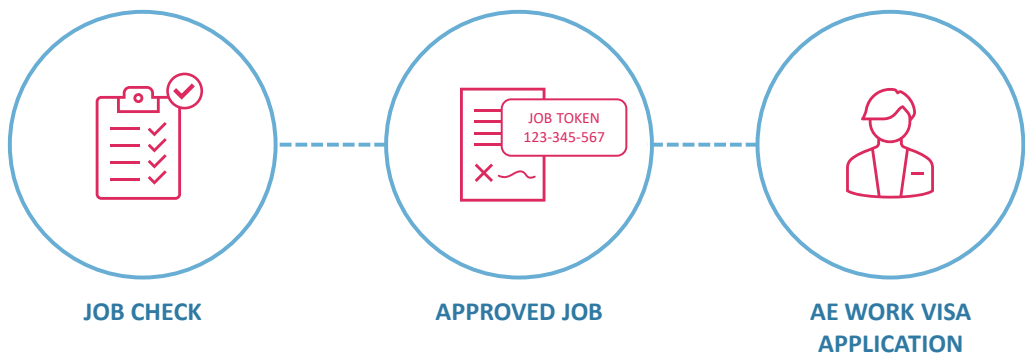
- LOCATION
- OCCUPATION
- MIN & MAX REMUNERATION
- NO. OF JOBS APPROVED
- START & EXPIRY DATE
- JOB TOKEN NUMBER/S



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Associating a job to an employer (WA3.35.1)

After a Job Check is approved, the job is automatically associated to the employer, and issued with a Job Check Token. A non-New Zealander can use the token number to apply for an Accredited Employer Work Visa.



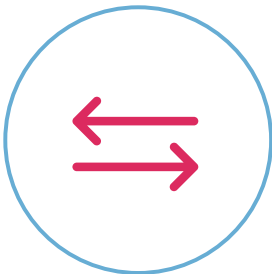
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Job Change for AEWV holders (E3.35.1)

Accredited Employer Work Visa (AEWV) holders can apply to vary their employer, job, location or a combination of these.

This process is known as Job Change in the instructions as a more plain-English name for employers and applicants than 'Variation of Conditions'.

The employer must be accredited under AEWV and have a valid Job Check for your Job Change application.



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Job tokens may be cancelled WA3.35(f)

WA3.35(f)(i) Employer no longer requires the token

WA3.35(f)(ii) Employment is not genuine or acceptable

WA3.35(f)(iii) Token was granted in error

IO-led Cancellation Process

1. Review case – does it meet WA3.35(f)?
2. Consult a TA – confirm if cancellation is appropriate or needs R&S referral
3. If employer hasn't agreed, send PPI via email
4. Consider the PPI response and if not acceptable, continue with next step
5. Seek approval from Immigration Manager
6. Immigration Manager cancels token and adds general note
7. IO emails employer (post-decision notification)
8. Record email as general note in ADEPT
9. Add warning to employer profile if needed



Explain:

We briefly touched on job token cancellation in the eLearning. Let's now review the key triggers and responsibilities. This will help you decide when you can cancel tokens yourself, and when to refer to the revocation and suspension team.

Ask: learners to look up Operations Manual and write down three grounds for cancelling tokens.

Show slide for answer: Job tokens may be cancelled **under WA3.35(f) when:**

WA3.35(f)(i) Employer no longer requires the token

WA3.35(f)(ii) Employment is not genuine or acceptable

WA3.35(f)(iii) Token was granted in error

Explain:

Previously, there was no clear instruction on when job tokens could be cancelled. Cancellations were mostly employer-initiated and handled via ICT requests.

Now, WA3.35(f) introduces three clear grounds for cancellation.

In addition to these grounds for cancellation, Immigration Managers can now cancel tokens directly in ADEPT and a structured process for IO-led cancellations has been introduced.

These additions are designed to give IOs clearer authority and structure for cancelling tokens.

Process walkthrough – IO led cancellation steps

Explain: *Let's Walk through the updated process together. You'll use this in the scenarios coming up.*

- Review the case and determine if it meets one of the three grounds under WA3.35(f):

- (i) Employer no longer requires the token
- (ii) Employment is not genuine or acceptable
- (iii) Token was granted in error

Consults a Technical Advisor (TA) to confirm:

- Whether cancellation is appropriate
- Whether a referral to the Revocation and Suspension (R&S) team is needed instead or in addition

If the employer has not already agreed to the cancellation, and the situation may negatively affect them, send a PPI to the employer (outside ADEPT, via email).

- Consider the PPI response and if not acceptable, continue with next step.
- Seek cancellation approval from Immigration Manager
- Immigration Manager adds a general note and cancels the token(s).
- IO emails the employer explaining the token has been cancelled and the reason. (Note: this is not a PPI - it's a post-decision notification.)
- Record an email to the employer's ADEPT profile as a general note.
- IO adds a warning to the employer profile if appropriate.

Refer to the SOP on Job Token cancellation for detailed guidance.

Streamlined Assessment Process



A **simpler assessment**, where generally applications can be processed almost immediately.

IOs assess whether the role is credible within the business context, in line with genuine employment instructions.

Supporting evidence is not reviewed by default unless prompted by adverse declarations or risk indicators.



Ask the group: *What is the streamlined assessment process?*

Show slide and summarise answer:

- Streamlined assessments are a simpler assessment process, where applications can generally be processed almost immediately.
- IOs will receive one assessment criterion by default prompting them to consider whether the role makes sense in the context of the business. This assessment criteria are linked to the immigration instructions for genuine employment.
- IOs are not required by default to examine the evidence provided with these applications.
- Other assessment criteria will continue to generate based on adverse declarations or system rules, and risk rules will continue to generate.

Explain: Please note that a standard assessment and an employer who holds “standard employer accreditation” are not related. Both streamlined and standard assessments may trigger for employers holding any accreditation type.

Ask the group: *Do you remember why we are moving to a streamlined approach for certain employers?*

Current pain points:

Low risk applications are being overprocessed.

Immigration officers are completing unnecessary tasks.

This approach is designed to reduce unnecessary processing and focus our efforts where risk is more likely. If the role fits the business, mark it as 'Yes' and move on.

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Who is considered for Streamlined assessment process

1. Applications specifically classified as **Streamlined employers**.

- Publicly listed companies that are in the top 500 job check users
- Employers of at least 80% ANZSCO skill level 1 jobs that are in the top 500 job check users
- Public sector organisations
- Employers who have had AERMR in the past 12 months with an outcome of no concerns and no subsequent warnings

2. Applications where the **occupation requires registration**.



Ask the group: *What does streamlined assessment mean for occupations requiring registration?*

Click slide and summarise answer:

- These are roles where occupational registration is required under immigration instructions.
- This is an existing pathway in Job Check that is being maintained.

(You may be aware that roles requiring occupation registration currently generate far fewer assessment activities and assessment criteria, so this integration into the streamlined assessment approach seeks to preserve that).

- IOs are prompted to consider whether the role makes sense in the context of the business.
- The assessment criterion will include the tag "Streamlined default assessment."

How Do You Know It's a Streamlined Assessment?

- Look for the tag: "Streamlined default assessment" in ADEPT
- Only **one assessment criterion by default**
- Streamlined = simpler than standard assessment (Standard has 2–4 default questions to assess)

The screenshot shows the 'Assessment Criteria' section of the ADEPT system. It features a 'Group By' dropdown menu set to '(no grouping)'. Below this is a 'Review Concern' section with a 'Review Concern' button and a 'Related Instruction (A)' column. The table lists two criteria: 'Streamlined default assessment: Job makes sense in the overall context of the business.' with a related instruction of 'WA3.15.10(a)(i)', and 'System concern: The employer holds standard accreditation: Check the employer has 5 or fewer jobs associated to th...' with a related instruction of 'WA3.1(iii)'.

Assessment Criteria	Related Instruction (A)
Streamlined default assessment: Job makes sense in the overall context of the business.	WA3.15.10(a)(i)
System concern: The employer holds standard accreditation: Check the employer has 5 or fewer jobs associated to th...	WA3.1(iii)



Ask the group: *What tells you to follow the streamlined approach?*

- For these employers, ADEPT has a single assessment criterion by default: **Streamlined default assessment: Job makes sense in the overall context of the business?**
- The assessment criteria will include the tag "Streamlined default assessment" to both cohorts. Other tags include 'Standard default assessment', 'Employer declaration' and 'System concern'.
- Tags can refer to PowerBI system concerns to see why the application is streamlined:
- Streamlined assessment for streamlined applications
- Streamlined assessment for occupations requiring registration

Explain:

- If the employer's name is ambiguous - for example, something like B & C Partnership, and doesn't clearly indicate the type of business, IOs can check the employer's declared industry in ADEPT to help make sense of the role.
- Highlight the simplicity of the streamlined assessment compared to the refined process used for all other applications which is two - four default assessment criteria.

How do you assess a streamlined employer?

Compare employer
name with job
title/ANZSCO code

Confirm role aligns
with business type

No red flags =
mark as "Yes"
No rationale needed



Click slide and ask the group: *How do you assess streamlined applications?*

Click slide to show answers - summarise:

Undertake a quick comparison of the employer's name and job title/ANZSCO code. If the role aligns with the type of business and nothing exceptional stands out that might indicate a non-genuine job offer. Mark Instructions as 'yes,'. No rationale is required.

Reiterate:

'Streamlined assessment' is a process, rather than a set of specific instructions. SOPs are a great reference when you're applying this in practice.

SOP:

Once the document opens, scroll or use the search function (Ctrl + F) to locate the section titled above for detailed guidance on the steps to approach genuine employment in a Streamlined assessment.

Job makes sense in the overall context of the business WA3.15.10(a)(i) – Streamlined assessment

Streamlined vs Standard

Streamlined

- High trust, low touch, only one default criterion
- Streamlined assessments are triggered for streamlined employers and where the occupation requires registration

Both

- Risk rules and adverse declarations still apply in both pathways



Show slide and summarise:

Streamlined = high trust, low touch, only one default criterion

Risk rules and adverse declarations still apply in both pathways

Occupations requiring registration also trigger streamlined assessments

Under ASSESS JOB CHECK: the following assessment criteria tags may arise:

- 1) EMPLOYER DECLARATION criteria tag - The employer has declared information in the form that requires the IO's attention. These declarations may or may not meet the instructions. For example, the employer might state that the role is intended for hiring a family member or for self-employment.
- 2) SYSTEM CONCERN criteria tag - A back-end system check has indicated a concern (for example, potential match on a stand down list) or a business rule is in place (for example, declared experience is significantly above ANZSCO).
- 3) STREAMLINED or STANDARD DEFAULT ASSESSMENT criteria tag - This is something IOs must always assess manually. It is not linked to any specific system trigger and does not necessarily indicate concerns or adverse information.

PowerBI



NEW ZEALAND

IMMIGRATION

Job Check Assessment for JC0003893

General

The Job

The Employer

The Labour Market Test

Job Check

Job title

Secondary School Teacher Skill Level 3

ANZSCO code

422115 - Preschool Educ (Skill Level 4)

Employer

AUBERY INVESTMENT LIMITED

Current accreditation

High Volume employer accreditation

Accreditation expiry

07-Aug-2027

Job check submitted date

07-Sep-2025

Primary Contact

javed.moinim@mbie.govt.nz

System Concerns

System concerns

Created on

Advert was not listed for at least 21 days and the ANZSCO skill level is 4 or 5

08-Sep-2025

Change of location included in agreement

07-Sep-2025

Declared qualification and work experience requirements are above ANZSCO requirements

08-Sep-2025

Employer has declared the employment agreement is not compliant with NZ employment laws

07-Sep-2025

Employer has declared the job can be carried out remotely

08-Sep-2025

Employer has not accepted the work hours of the offer or the business activities

08-Sep-2025

Position and Location of Work Details

Number of positions required

66

New position(s)

Yes

Replacing existing position(s)

Yes

Other

Yes

Please explain why you need the position(s) based on the option(s) you have selected above

If application is approved, you understand that the job migrant to apply for an Accredited Employer work visa based on this job that 6 month period. You must continue to meet the requirements employers and retain your accreditation status in order for a work visa the job check will no longer be valid.

Total number of current employees in your organisation

55

Number of current employees who are New Zealand citizens or residence class visa holders

34

Will the jobs require the employee to be based between multiple locations of work?

No

Does the job requirement for work to be done at multiple locations disadvantage the employee?

Yes

Provide details of why the role requires employees to work in different regions or job location if not multiple location

dsla

Will all the work be done remotely?

Yes

Are the TNCs of work being done at multiple locations set out in the employment agreement?

No

All Regions of Work if Multiple Job Locations

Wellington

Primary Address of Work

Work

25 The Terrace, Wellington Central, Wellington, 6011, NZL

Employment Type Details

What type of employee is this job check for?

Fixed term

What is the duration of fixed term employment?

12 Months

Explain the reasons for a fixed term rather than permanent employment

Have ongoing employment which does not have an end date when either the employer or employee terminates it, for a or full time have all employment rights

Date the job is available or the work starts from in this job check for self employment?

No

Do you intend to hire a person related (by blood or marriage) to you or any of your immediate family?

Yes

Provide details of the family member you intend to hire and the reasons for finding them

the employment relationship will only end when either the employee or the employer resigns can be part time or full time

Explain: Let's look at what happens when a streamlined assessment application needs further assessment. This is called 'exiting the streamlined process' or 'transitioning to a standard assessment.'

Ask: What does it mean to exit the streamlined process?

Answers:

Ka Rawe, that's right it means the:

You decide the role doesn't make sense in the context of the business.

- Something exceptional stands out that requires deeper assessment.

Explain: You may exit this streamlined guidance to undertake a more detailed assessment of genuine job where appropriate, but this is not recommended by default unless something exceptional stands out.

In this case, you need to discuss with a TA (at least as part of the initial roll out of this change).

Ask: *Where on ADEPT do you look when deciding whether to exit the streamlined process?*

Show slide to show PowerBI screenshot and summarise answers:

You use both ADEPT front page and Power BI dashboard to make informed decisions. These tools help IOs access whether the role fits the business. One of the ADEPT changes is a revised PowerBI to aid in assessments/eliminate the need to open the metadata document.

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What should you do if you want to exit the streamlined process?

- Discuss with a TA (initial rollout only)
- Document the reason
- Follow SOP for standard genuine job assessment

Other assessment criteria may be triggered

(e.g. adverse declarations or risk rules)

- Assess as normal
- No escalation needed – unless the case exits streamlined



Show slide and ask: *What should you do if you want to exit an application from the streamlined process?*

Answer:

Discuss with a TA before proceeding (initial roll out phase only).

Document the reason for exiting.

Follow the SOP for standard genuine job assessment.

Explain: Other assessment criteria may appear based on triggers (eg adverse declarations or risk rules). These should be assessed as normal and do not require escalation unless exiting streamlined.

Genuine Employment

New Fields in front-end form:

Field	Why it helps
Trading Name	Identify business type via open-source search
Number of Staff	Indicates business size
Number of NZ staff	Workforce composition
Reasons for Employment	Give context for why the role is needed

Trading name
Enter the trading name or names your organisation uses that are relevant to this role. Enter "none" if you don't use a trading name or it is the same as your organisation name.

Number of positions required
Enter the number of job tokens you are requesting in this application.

Reason for employment
The information provided below will assist with assessing the genuine nature of the position(s).
Select the reason(s) the business requires the number of positions requested from the list below:
You may select more than one option.

☐ New position(s)
☐ Replacing existing position(s)
☐ Other

Please explain with sufficient detail why you need the position(s) based on the option(s) you have selected above.
You may also include information about the role(s) or the nature of your business.

Total number of current employees in your organisation
An employee is a person employed to do any work for wages or a salary under an employment agreement (a contract of service). Please include New Zealand citizens, residence class visa holders and temporary work visa holders (including student visa holders with work rights).

Number of current employees who are New Zealand citizens or residence class visa holders

Don't raise concerns based on these fields alone – use them in context



Front-End Form Changes: Supporting Genuine Job Assessments

Explain: Before we move into standard genuine employment scenarios, let's take a closer look at the changes to the front-end form.

The four new fields:

Trading name

Number of staff employed

Number of New Zealand employees

Reasons for employment

Explain: These new fields will improve efficiency by giving you more information upfront to help make a holistic assessment.

These fields were added due to feedback received from frontline staff and are intended to reduce the amount of RFIs you need to send about this information.

- The trading name field helps you understand the nature of the business at a glance
- The number of staff employed field indicates business size and helps assess whether the business is large enough to employ the number and type of roles being requested.
- The employment field provides upfront context for why the role is needed; and helps assess future vacancies

Ask the group: *How do you think the new “number of New Zealanders” field helps determine if the job is genuine?*

Answer:

Supports understanding of workforce composition; high percentage may be a positive indicator. A low number of New Zealanders is not in itself a cause for concern.

The intention of this new field was not to place additional scrutiny on the LMT where a low percentage is declared.

Explain: Understanding these ratios is important, as they contribute to assessing the credibility and sustainability of the employer’s workforce composition.

You shouldn’t raise concerns based on the employer's answers to these questions alone, as the information provided requires contextualisation eg a low percentage of New Zealanders may be common in certain industries with recognised skills shortages, which should not raise alarm bells on its own. However, if you have existing concerns that the role is non-genuine, a low percentage of New Zealanders could reinforce these.

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Genuine Employment (WA3.15(k))

- Job **must not be false, fraudulent**, or created solely to facilitate a visa
- The role must **make sense** in the context of the business
- The job must be for **work that is currently available** or will be **available within six months**
- Genuine need to be based in New Zealand

WA3.30 Definitions

WA3.30.1 Definition of 'genuine' employment

- a. For the purposes of Job Check applications, genuine employment is employment that:
- i. has not been created for the purpose of facilitating a visa; and
 - ii. is for work that is currently available, or will be required within 6 months of the Job Check application being approved; and
 - iii. has a genuine need to be based in New Zealand.
- b. In determining whether employment is genuine, an immigration officer may take into account a range of factors, including, but not limited to:
- i. Publicly available information about the business.
 - ii. Whether the occupation is consistent with the nature and everyday activities of the business.
 - iii. Whether the employer is likely to have sufficient work available for the number of positions requested.
 - iv. The skills and experience required for the role being offered.
 - v. Whether the employer intends to use the Job Check to support a family member.
 - vi. The degree of probability that the work will be required within 6 months of the Job Check being approved (if it is not currently available).



Explain Let's explore what's changing in how we assess whether a job is genuine.

Ask the group: *What is the definition of genuine employment?*

Click slide for answer and discuss:

The definition of genuine employment has been defined further by instruction **WA3.30.1**

The proposed employment must be genuine, meaning the job has not been created for the purpose of facilitating a visa
is for work that is currently available, or will be required within 6 months of the Job Check application being approved
has a genuine need to be based in New Zealand.

Explain:

Genuine employment is about ensuring the job is real and required by the business. It's not just about the employer being legitimate - it's about the role itself making sense and being genuinely needed.

Ask the group: *What's changing in how we assess genuine employment?*

Answers:

- New front-end form fields (reasons for employment, number of New Zealanders,

trading name and number of staff), help you assess genuineness earlier.

- IOs are encouraged to use these fields to avoid unnecessary RFIs or PPIs.
- Greater emphasis on holistic, proportionate assessment using available data.

Reinforce: The process itself hasn't changed much - but what has changed is how you gather and use information to make that decision. Remember, you should begin with quick initial checks, only moving to more detailed checks where there are indicators of non-genuine employment.

Explain why:

Previously, we often had to request extra documents or contact the employer to understand the context. Now, the new Job Check form gives us more up front - like the reason for employment, number of staff, and percentage of New Zealanders employed. These fields help IOs make faster, more confident decisions without needing to go back and forth.

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Assessing employment is acceptable without IEA

Employers no longer need to upload the IEA with their Job Check application.

What this means for you:

If no assessment criteria, no alerts, and no risk rules are triggered:

- You can be satisfied the employment agreement is acceptable.
- No need to request the IEA.



Explain: We're now going to explore how to assess employment without an Individual Employment Agreement (IEA).

Show slide and explain: Remember, with the JC redesign the employer is no longer required to provide a copy of the IEA with their application.

If there is no related assessment criteria presented and no alerts, warnings or risk rules triggered, you can be satisfied that the employment agreement is acceptable without needing to request a copy of this"

Assessing employment is acceptable without IEA

Exception:
Missing Mandatory clauses

Call the employer to confirm these clauses will be added. This will be checked at the Work Visa stage.

If an employer makes an adverse declaration, what should you check before deciding on a PPI?

- If a clear explanation is provided which demonstrates that the clause is acceptable, mark 'Instructions Met' and proceed with your assessment
- If a clear explanation is provided which confirms that the clause is not acceptable: Proceed to PPI.
- If no explanation or it's unclear: Call the employer to clarify
 - **acceptable response:**
continue assessment, no IEA needed
 - **unacceptable response:**
proceed to PPI, no IEA needed
 - **unable to clarify:**
use discretion to request IEA or proceed to PPI



Ask the group: If an employer makes an adverse declaration in the JC application form, what do you do before deciding whether to request the employment agreement or proceed to PPI?

Answer:

If a clear explanation is provided which demonstrates that the clause is acceptable, mark 'Instructions Met' and proceed with your assessment

If a clear explanation is provided which confirms that the clause is not acceptable: Proceed to PPI.

If no explanation or it's unclear:

Call the employer to clarify the reason for the declaration.

Based on the response:

If employer confirms that adverse declaration was a mistake or provides an explanation that makes it clear that the clause is acceptable: proceed with your assessment. There is no need to request a copy of the IEA.

If employer confirms that the adverse declaration is correct or provides an explanation that makes it clear the clause is unacceptable: proceed to PPI. There is no need to request a copy of the IEA

If unable to contact the employer, or the explanation provided is still unclear: use discretion to either request the employment agreement or proceed to PPI.

Explain:

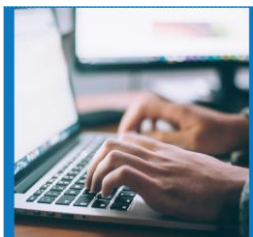
If mandatory clauses are missing, call the employer to confirm these clauses will be added. As Job Check instructions state that a declaration from the employer that these clauses will be included is sufficient, there is no need to request further evidence—this will be checked at the Work Visa stage.

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Employer Accreditation risks at JC Gateway

EA Risks at Job Check:

Most common risks
Employing in breach
(e.g. pay, hours, visa type)



When to act

- **Clear indicators only** (e.g. alerts, adverse declarations or other specific evidence)
- **Don't reassess EA by default**

Existing **JC risk management practices** are now documented in **SOPs**.
You can now **PPI for the evidence - employer can be revoked** if it's not provided.



Explain:

We going to work through how to manage EA-related risks together. Instances where you need to request evidence the accreditation requirements are still met will be infrequent, but you will need to know when and how to do this.

Explain: The AEWV gateways seek to ensure risks are managed at the most appropriate point (eg managing EA and Job Check risks prior to the migrant applying).

If concerns arise after accreditation is approved, and INZ waits until accreditation renewal to look into it, it means waiting up to 2 years to look into the concern (and allowing potential harm to continue).

Whereas if the concerns are addressed at JC (where appropriate), we can quickly establish whether they are substantiated (and revoke accreditation), or mitigate them - preventing the need for work to be done in future applications

To ensure both efficiency and good risk management, guidance has been developed to ensure risk is managed at the earliest possible gateway, where appropriate.

Click

Show slide and ask: *What is the most common EA concern that is likely to come up at JC?*

Answer: Employing in breach of visa conditions (pay, hours, role, location, employing on wrong visa eg visitor).

Ask:

How do IOs know when to act on EA concerns?

Answer:

- Only act if there is specific information (e.g. warning, adverse declaration or other specific evidence available)
- Do not reassess EA concerns by default (the purpose of the guidance and new instruction is not to re-look at the accreditation decision; it is to help IOs address new concerns that come up).

The guidance builds on existing JC risk management practices already in place. The key difference is that these are now documented in SOPs, allowing IOs to PPI for the evidence - employer can be revoked if it's not provided (covers later in the workshop)

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EA risks – How to Respond

Q. How can you decide whether to request evidence to address the EA concern?

Check the “guiding principles” in the SOPs.

When **not to request evidence:**

- Streamlined employer
- Concerns **dealt with in a previous application**
- Concerns based on evidence (or lack of evidence) provided in the EA application, but this **would not have changed the EA decision** - if unsure, speak with a TA
- Concerns based on a **risk rule** targeting job check instructions or **general concerns regarding genuineness/job inflation**
- **Another IO already requested evidence** and waiting on response



Ask: *How can you decide whether to request evidence to address the EA concern?*

Answer: By checking the “guiding principles” in SOPs.

Explain: Let’s look at the “guiding principles” table. Please locate that section now.

Ask the group: *Are there any situations where an IO should not request evidence to address EA concerns? (Note for facilitator the answers to the next 3 questions below are in the ‘guiding principles’ in SOPs).*

Answer:

Streamlined employer

Concerns dealt with in a previous application

Concerns are just based on evidence (or lack of evidence) provided in the EA application, but this would not have changed the EA decision (if unsure, speak with a TA)

Concerns are just based on a risk rule targeting job check instructions or general concerns regarding genuineness/job inflation

Another IO already requested evidence and waiting on response (IOs should not request the same evidence but should wait for the earlier request).

EA Risks – How to Respond

Q. Want to go outside the principals (eg R&V advice)?

Discuss next steps with a TA

Q. Should IOs request financial documents?

Only if advised by a TA or SBFA



Ask: What should you do if you want to go outside of the 'principles' and request the evidence anyway? (eg if given advice to do so by R&V)

Answer: Discuss next steps with a TA

Ask: Should IOs request documents such as financial statements to determine whether the employer continues to meet the financial requirements of their accreditation?

Answer: Only when advised to do so by a TA or SBFA (Senior Business and Finance Advisor)

Closing Karakia

Ka hiki te tapu
Kia wātea ai te ara
Kia turuki ai te ao mārama
Hui ē, Tāiki ē

Restrictions are moved aside
So the pathway is clear
To return to everyday duties
Enriched and unified



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Thank you



MINISTRY OF BUSINESS,
INNOVATION & EMPLOYMENT
HĀKINA WHAKATUTUKI

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