

AEWV Changes (and related announcement) Q&As for Immigration Professionals

As at 24.07.2024

Notes:

- Some questions and answers may span across two headings. We've selected the heading that appears most relevant, but please do check other relevant headings if you are looking for a particular question.
- New questions are shaded in **yellow** each time this document is updated.
- Questions related to the [changes the Government made on 26 June 2024](#) (supporting partners and dependents) have a separate heading.

Changes made by the Government on 26 June 2024 regarding supporting partners and dependents

Question	Answer	Date added
Does this change impact AEWV holders currently in New Zealand who haven't yet applied for visas for their family members?	Yes, this change impacts all current and future AEWV holders who had not already applied to bring their partners and dependent children to New Zealand via a supported visa pathway when it came into effect on 26 June 2024.	22.07.2024
Is there any way impacted family members can still come to New Zealand to reunite with their partners?	Partners and dependent children of AEWV holders working in ANZSCO skill level 4 or 5 roles who are impacted by this change and still want to come to New Zealand will need to qualify for a visa in their own right. They also have the option to apply for a short-term visitor visa to visit their partner or parent in New Zealand during the duration of their AEWV.	22.07.2024
Noting how WF3.1.5(d)(i-ii) is worded, if on 26 June 2024 a person held a conditional/open Work visa (based on partnership) supported by an AEWV holder, could they move to a Fee-Paying Student Visa and upon completing their studies apply for a further relationship-based visa supported by the AEWV holder? We'd also like to know the answer if the partner moves to another type of visa (i.e., Visitor Visa, own Work visa etc) not just a Student Visa (this is just used as an example).	Yes, the partner (who had a relationship-based visa on 26 June) can move to a different visa (e.g. a student visa), then back to a partner of a worker work visa supported by an ANZSCO 4 or 5 AEWV holder partner (assuming that the AEWV holder - the supporting partner - hasn't completed their maximum continuous stay).	22.07.2024
If a Partner of an AEWV Work Visa holder is permitted to support dependent children, will that partner have to meet the minimum income threshold requirement? If so, do they	A partner of an AEWV holder who has a visa based on their relationship to the AEWV holder is not able to support visas for their children independently of the AEWV holder. Although the	22.07.2024

need to meet it in their own right or can the minimum income threshold requirement be made up of the partner and/or the AEWV holder parent's income as well?	children can also be considered dependent children of the open or conditional work visa parent (for which there is no minimum income requirement), they are also still dependent children of the Accredited Employer work visa holder and therefore the minimum income requirements still apply. See Visa Pak 262, available on the INZ website for more information: https://www.immigration.govt.nz/documents/visa-paks/2016-jun-03-u8-20-1-dependent-children-of-essential-skill-work-visa-holders	
If an AEWV holder is working for an employer who has subsequently had their accreditation status suspended or revoked, are their partners and dependents still eligible to apply for a Partner of Worker / Dependent of Worker?	Yes.	22.07.2024
I'm actually in a higher skill level occupation than described in my work visa. Can I still support visas for my family?	You will need to apply for and be granted a Job Change or a new AEWV to reflect your correct occupation before you can support your partner and dependent children's applications.	22.07.2024
What about Corrections Officers? Do they need to complete their CODP and Certificate in Offender Management in order to bring their families?	No - those requirements are for residence only. Since they can be considered to be working in a Green List role without meeting those requirements for AEWV, they are not required to support partners.	22.07.2024

Policy rationale/decisions

Question	Answer	Date added
Why are only those who applied for a visa between 21 June 2023 and 7 April 2024 eligible for a five-year AEWV?	The Government has decided that those who applied for an AEWV on or after the date on which the five-year visa was announced will continue to be eligible for a five-year visa because they had a reasonable expectation when they came to New Zealand that they would be able to remain in NZ on an AEWV for up to five years.	17.04.2024
Where Bachelor's degrees or higher can be considered relevant to any employment (so for example a holder of degree in information	No. The instruction that allows Bachelor's degrees or higher to be considered relevant to any employment offered, is only used when	17.04.2024

<p>technology meets the minimum skills for healthcare or farm positions), does this contradict WA3.16 which states that an IO will assess the occupation and skill level in a certain manner?</p>	<p>determining whether an applicant meets the minimum skills threshold. Instructions for determining the occupation and skill level of the job are set out separately at WA3.16.</p>	
<p>What transition measures are in place for AEWV holders who have a residency application being assessed and are about to reach the end of their maximum continuous stay period? For applicants from some countries, there are often significant delays while INZ waits for security checks?</p>	<p>There should not be any scenarios where someone who is eligible for skilled residence who is coming to the end of their maximum continuous stay until mid-2027 at the earliest, so this is unlikely to be an issue in the short term. All the different cohorts who can qualify for residence have a five-year maximum continuous stay (this includes people who have a job ANZSCO 1-3, have a Green List role, have a role paid at least 1.5x median wage, have a transport or care role that provides work to residence). AEWV opened in mid-2022, so that was the earliest people could obtain AEWVs. Only time an AEWV counts towards maximum continuous stay, other visas such as Essential Skills and the Post Study work Visa do not count, so five years later than mid-2022 brings us to mid-2027.</p> <p>In addition, as part of the Skilled Migrant Category (SMC) changes in 2023, an interim visa was created for applicants awaiting the outcome of an SMC application. Upcoming policy work may include consideration of whether the SMC interim visa should also be extended to those who have submitted a residence application under other skilled residence categories.</p>	<p>22.05.2024</p> <p>AEWV webinar question</p>
<p>Can one bypass the need to spend time outside New Zealand after reaching the maximum continuous stay if there is a residency pathway? It used to be written on the INZ website that (that) was going to be the case, before 7th April changes.</p>	<p>As stated previously in this document, this should not be an issue until mid-2027, and there is an interim visa option available for those who applied for residence via the SMC. The previous Government agreed to the creation of a special visa for people to use if there was a residence pathway, however we are yet to confirm whether the current Government want to proceed with this.</p> <p>An update regarding the policy to provide an exemption to the maximum continuous stay</p>	<p>22.05.2024</p> <p>AEWV webinar question</p>

	for AEWV holders on a pathway to residence will be provided in due course.	
What is the logic for placing the minimum skills threshold and suitably qualified requirements on all ANZSCOs?	<p>While we can't speak to the Government's rationale for their policy decisions, we note that the minimum skill threshold is expected to reduce the opportunity for employers to sell fake jobs, as there has been some correlation between fake jobs and those where the employer has not specified any skill or experience requirements. It is also consistent with the objective of the median wage threshold, to restrict the use of the AEWV to higher-skilled roles.</p> <p>Applicants in higher-skilled occupations should already be able to meet the minimum skill requirement in most cases. Creating an exemption for these higher-skilled roles would increase incentives for applicants to misrepresent their ANZSCO occupation.</p>	17.05.2024 AEWV webinar question
Why is the rationale of developing cognitive abilities with any Bachelor to transfer skills across industries and job roles selectively applied to meet the minimum skills threshold but NOT to meet the requirements to be suitably qualified?	<p>Where qualifications that are Bachelor's degrees or higher can be considered relevant to any employment offered, this is specified for the minimum skills threshold requirement only because the requirements for that instruction include the work experience or qualification being relevant. This relevant requirement is not applicable to the suitably qualified requirements because the employer sets those requirements.</p> <p>In other words, the 'suitably qualified' requirements are separate to that of the Minimum Skills Threshold requirements.</p> <p>As per the instructions, for an applicant to be suitably qualified, they would have the qualifications, work experience, skills and other specifications that were listed by the employer, in the Job Check application, as the minimum requirements for the job. An employer could set their suitably qualified requirement to be any Bachelors degree if this is what is required to do their job.</p>	17.05.2024
How often will the sector agreements and Green List occupations be reviewed?	The Green List was reviewed last year, and that was the 12-month review that Cabinet agreed upon at the time the Green List was	06.06.2024

	<p>created in 2022. They also agreed that beyond the 12-month review, there would one review every three years from there. However, as per the recent announcement made by the Minister, the next review of the Green List is tentatively planned for 2025.</p> <p>In terms of sector agreements, the Government has committed to reviewing and replacing the median wage in AEWV, therefore it is likely that a review of the sector agreements will be undertaken once final decisions on that replacement have been made. The median wage work is due late this year.</p>	<p>AEWV webinar question</p> <p><i>Note: This answer has been updated since the webinar.</i></p>
<p>Why are team fit/culture not being taken into account when determining availability and suitability of NZ citizen/residents?</p>	<p>A suitable New Zealander is defined in immigration instructions as one who is qualified to take up the work on offer, or can readily be trained to do the work on offer. Being qualified to take up the work on offer may include any reasonable qualifications, work experience or skills necessary to perform the role, or other reasonable competencies necessary to perform the work. Further consideration of the labour market test, which includes assessing an employer's genuine attempts to attract and recruit New Zealand workers will be carried out as part of broader changes to AEWV policy.</p>	<p>22.07.2024</p>

Processing

Question	Answer	Date added
<p>What can employers and migrants do to ensure their applications are not held up?</p>	<p>The most important thing employers and migrants can do to ensure efficient processing with minimal delays is to submit complete applications.</p> <p>For employers making job check applications, it's really important to identify if a role is a level 4-5 role or a level 1-3 role, as this will determine what needs to be submitted with the application, in particular the duration of the advertising required and whether Work and Income needs to be engaged. If INZ finds that a role is skill level 4 or 5 and the employer has not advertised for 21 days or engaged with</p>	<p>17.04.2024</p>

	<p>Work and Income, it's likely that the application will be declined.</p> <p>For migrants, it will be important to check whether an English language test is required and if so, provide this with the application, and to understand what they need to provide to show they meet the minimum skills threshold.</p>	
<p>Can applications for the balance of an AEWV be 'escalated' for allocation to an I/O for processing? If so, does the normal escalation process apply?</p>	<p>Normal escalation processes apply and more information can be found on our website.</p> <p>If this question relates to balance applications using a re-used job token, we can add:</p> <p>Applications for the AEWV balance with a reused <u>job token</u> go into a queue. We will generally only start processing AEWV balance applications when the current AEWV expiry date is within the next 9 months.</p> <p>If the application is in the queue, escalation requests for the applicant and any partner or children are unlikely to meet the requirements for escalation, as the visas are still valid for 9 months or more.</p>	1.05.2024

English language requirements

Question	Answer	Date added
<p>Will applicants who now need to meet English language requirements by taking an English test be eligible for an alternative visa if they don't have time to do this before their current visa expires or the applicable job token is nearing expiry, such as a Visitor Visa?</p>	<p>In general, INZ is not able to provide immigration advice to applicants about which visa they should apply for. Applicants need to consider their options and carefully consider whether the right approach is to apply for a different visa to remain in NZ or to remain outside of NZ in the interim. If the client decides to apply for a Visitor Visa they will need to demonstrate how they meet the requirements for that visa when they make their application. The fact that someone is waiting to take an English test, in itself, does not mean that a visitor visa application will be approved. INZ will assess every application on a case-by-case basis. Visitor visa requirements are available on the INZ website.</p>	17.04.2024

<p>Will INZ hold off from deciding on an application if the applicant is waiting for their English Language Test results?</p>	<p>In general no, if an application is made without evidence of meeting the English language criteria it will be declined.</p> <p>Generally we would look to PPI and not hold applications pending English language unless, there are compelling circumstances. In regards to the Job check token expiring it's unlikely that we would hold the application as the token was valid for 6 months and by holding the application we might undermine the labour market check. Furthermore, evidence of a booking does not mean the applicant will meet the requirements.</p> <p>For Job tokens that will expire before 30 June 2024, we are being facilitative and allowing applicants to submit work visa applications with evidence that an IQA has been applied for. For all applications submitted from July 1st onwards these applications need to have all requirements met at lodgement.</p>	<p>28.05.2024</p>
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Maximum continuous stay

Question	Answer	Date added
<p>In terms of the maximum period of stay, it appears that if someone came to New Zealand on a Level 4 or 5 role before June 2023 (paying at or above the median wage), and now applies for an AEWV for a Level 1-3 role, their maximum duration of stay would still be three years (WA4.10.7.d.vi). Is this correct or an oversight?</p>	<p>Where they make an application for a further AEWV for an ANZSCO Level 1-3 they will be eligible for a MCS of 5 years. Further visa will be granted for the balance of the 5 years.</p> <p>NOTE: The instruction referred to in the question is incorrect. WA4.10.7.d.i is the correct one.</p>	<p>19.04.2024</p>
<p>A question about the maximum continuous stay. A Carpenter assistant (Builder's Labourer - ANZSCO Level 5) was granted 3-year work visa before 20 June 2023. He is promoted to Carpenter role (ANZSCO Level 3) at the end of the 3-year period. Is he eligible for another two years visa, provided he meets all other requirements?</p>	<p>Yes, if the new role is skill level 3 and paid at or above median wage (currently \$29.66) it would have a MCS of 5 years. A further visa application may be granted for the balance of 5 years.</p>	<p>1.05.2024</p>
<p>If someone has already spent 3/5years on an Essential Skills Work Visa, will they be able to apply</p>	<p>They are able to apply for an AEWV prior to their ESWV expiry. The AEWV maximum</p>	<p>1.05.2024</p>

for an AEWV prior to their ES WV expiry or are they subject to a 12-month stand-down period based on their time to date on an ES WV?	continuous stay period excludes any time spent on other temporary or work visas (i.e. a student or visitor visa, or Essential Skills work visa).	
Where the Instructions state 'On the Green List but don't state "and meets requirements", is the "and meets requirements" inferred or does it mean that the occupation being on the Green List alone suffices regardless of whether the applicant meets the requirements? E.g. WA4.10.7 d. ii.	WA4.10.7d ii refers to being a role on the Green List, not meeting requirements. However, there may be other places in AEWV instructions where meeting Green List requirements apply.	3.05.2024
If an applicant is currently on a two or three-year Work Visa (e.g. skill level 4-5) and they get a new job offer at a higher level (1-3) can their visa based on that new role be granted to the full five years (including time already spent on their previous level 4 or 5 role)? Similarly, if they reach the maximum amount of time on a lower-skilled visa, and depart the country, can they return based on a higher-level job offer or does the no-return period apply to any further AEWV no matter the skill level?	Where they make an application for a further AEWV for an ANZSCO Level 1-3 paid at or above the median wage, they will be eligible for a MCS of 5 years. Further visa will be granted for the balance of the 5 years. If they leave New Zealand but do not stay outside of New Zealand for more than 12 months they can return on a AEWV with a skill level 1-3 for the balance of the 5 years.	Answer amended 1.05.2024
If an applicant is moving from a level 4 – 5 job to a level 1-3 job, does this impact the maximum continuous stay?	If someone has a reduced max continuous stay and visa duration (i.e., a non-exempt skill level 4 – 5 role paid at or above the median wage, applied before 21 June 2023 or on/after April 7 2024), if they want to move to a skill level 1 – 3 role paid at or above median wage (or a job on the Green List or a job paid 1.5 times the Feb 2024 median wage), they can apply for the balance of a five-year max continuous stay.	17.05.2024 AEWV webinar question
A Level 4 or Level 5 AEWV holders' entitlement to a three or a five year visa is now dependent upon the date that they applied for a visa. Are you able to give a definition of what is deemed to be meant by 'applied' and how an employer can determine that? For example, what if the migrant couriered their application to INZ - what is deemed to be the 'applied' date in that instance?	An AEWV application must be made using the online form provided by the INZ website (WA4.5(a)). Applied means the date they submitted their online AEWV application, not the date it was granted. Migrants can view the date they submitted their application on their dashboard in the online system. Employers are not able to view the submitted date. They will need to request this information from their worker. If the worker shares the application, then that person can see the submitted date.	3.05.2024
If a person has a five year maximum stay, but they need to return home and work remotely for 12 month in the fourth year of their five-year work	If they spent 12 months continuously outside of NZ, their maximum continuous stay will reset.	17.05.2024

<p>visa, can they seek a further 12 months in addition to the five years already granted, on the basis that they have not stayed in New Zealand for all five years, or could they use the 12 months overseas as grounds for a 'reset'?</p>		
<p>Can applicants apply for a new visa before completing their stand down (time spent outside NZ) period - particularly where the next job doesn't start until after their stand down period has been completed?</p>	<p>Applicants are not prevented from submitting an application prior to completing their stand down period, however the stand down period should have ended by the date the visa is granted. WA4.10.7 states that an AEWV must be declined if the maximum continuous stay period has been met. WA4.10(a)(iv) states that we grant an AEWV if we are satisfied that the applicant has not exceeded a maximum continuous stay period as set out at WA4.10.7 or WA4.10.10.</p>	<p>28.05.2024</p>
<p>A client was granted an AEWV before 20 June 2023, paid less than the median wage and covered by a sector agreement. WA4.10.7.b says the MCS is determined by the first AEWV, but d refers to being paid at or above the median wage, so would not apply to someone who was paid below the median wage when their first AEWV was granted. As far as I can tell that leaves us with f, which states they must meet the MCS according to the sector agreement. IE, WA4.10.10 is the instruction that determines the MCS for a client who was paid less than the median wage. EVEN IF they have now been offered a job paid higher than the median wage and would like to reapply for another AEWV. Because their MCS is determined by their first AEWV, and their first AEWV was paid below median wage, it would seem a MCS of 5 years does NOT apply. So they cannot be granted another visa if they have already used up the MCS allowed by the sector agreement. Is this interpretation correct?</p>	<p>In the example referred to here, the first AEWV was paid below median wage as part of the sector agreement and so the maximum visa duration, maximum continuous stay and required time spent outside of NZ would be assessed and determined according to WA4.10.10. If the applicant holds a new offer of employment paid at or above median wage, then their eligibility would change as the maximum continuous stay is dependant on when the application was submitted and whether the role is paid at or above the median wage (WA4.7.10(b) and the maximum continuous stay and required time spent outside of NZ would be assessed and determined based on the new role according to WA4.10.7(c) or (d) and (h).</p>	<p>28.05.2024</p>

Modules

Question	Answer	Date added
<p>Regarding people who have made recruitment decisions about AEWV holders or applicants in the past, but do not anticipate making any more, are</p>	<p>If they made recruitment decisions about AEWV holders or applicants during the accreditation period, they are required to do the modules within that accreditation period,</p>	<p>17.04.2024</p>

they required to do the Employment New Zealand online employer modules?	even if they will not be making further recruitment decisions about AEWV holders or applicants within that period.	
WA2.10.10.n. We understand that if someone has made recruitment decisions that they need to complete the modules, but what if there is just a possibility that someone may make recruitment decisions? Can they be exempted until such time as they do?	The immigration instructions state: Everyone who makes recruitment decisions about an Accredited Employer work visa holder or applicant within the employer's organisation (for example hiring managers, human resource managers, sole traders, and partners), must complete Employment New Zealand's online employer modules once within every accreditation period. The modules do not need to be completed unless someone actually makes the recruitment decisions outlined above.	1.05.2024
Why are ENZ modules required to be completed by organisations with large HR teams and experienced HR practitioners?	The ENZ modules demonstrate the minimum level of knowledge we expect from people involved in recruitment, and we don't consider them unreasonably burdensome to complete. We also don't have any concrete evidence to determine which sizes or types of HR departments are more or less likely to breach employment standards.	26.06.2024

Job Change

Question	Answer	Date added
Do migrants who want to submit a Job Change application need to meet these new requirements?	No, they do not.	17.04.2024
Are English language requirements required for migrants doing a Job Change?	There is nothing in instructions at E3.26.1.20 that indicates they will need to meet English language requirements, as this isn't a new visa application.	19.04.2024
Would the holder of a five-year AEWV working in a Level 4 or 5 role lose their five year MCS if they got a job change?	No, visa duration cannot be affected by a job change.	19.04.2024
Can balance durations be granted in a Job Change application?	No. A Job Change is not a visa application, but is used to vary visa conditions. The Job Change process cannot be used to grant a new AEWV (i.e., an application for the balance). A job change cannot change the duration of an	17.05.2024

	AEWV. A new AEWV (with a new job token) could be applied for instead.	
Where a Job Check was used for a Job Change application (rather than a new AEWV), does the employer need to re-do the Job Check to apply for the 2 years of "remaining balance" of his AEWV. (The instructions WA4.10.20 Subsequent applications re-using a Job Check number are somewhat unclear in that refers to an Accredited Employer work visa application but does not clearly suggest that an AEWV held on the basis of a Job Change would also be considered an AEWV application for the purpose of this instruction).	No, the employer does not need a new Job Check to apply for the balance using a re-used token if there has been a Job Change as long as they meet the requirements at WA4.10.20. If they do not meet these requirements, they may still be able to apply for the remaining balance with a token from a new Job Check.	1.05.2024
If someone already holds an AEWV for three years and wants to apply for a VOC (Job Change), do they have to meet the new requirements?	New English language requirements and minimum skills threshold/suitably qualified requirements do not need to be met for Job Changes, as they are not new visa applications.	17.05.2024 AEWV webinar question
If the holder of an AEWV visa for an ANZSCO skill level 4 or 5 role had submitted their AEWV application between 21 June 2023 and 6 April, yet subsequently was approved a Job Change application to vary their employer, are they no longer eligible to apply for a subsequent AEWV to meet the balance of five years? Can extensions/balance be granted where an applicant has successfully done a job change application?	Getting a job Change may impact on a person being eligible to reuse their job token as in order to be eligible for reusing a job token, the person must be working in the same role, for the same employer and in the same location. However, in terms of getting the balance via submitting a new AEWV application, it doesn't render a person ineligible to apply for a new AEWV.	17.05.2024
Can an AEWV holder reuse a job token after the job change or variation is approved?	Yes they can. Since they need to submit a new job check token for the changes to be approved, the new job check provided with the VOC/Job Change would change the employment details upon which their current visa is 'based' for the purposes of the subsequent AEWV re-use instructions. According to WA4.10.20(a)(ii), the AEWV holder would be eligible to reuse their token.	06.06.2024 AEWV webinar question
The INZ website outlines the following: <i>If you want to change to a job paid at least NZD\$29.66 an hour:</i> <ul style="list-style-type: none"> you can change to any other job, if your current job is entitled to a maximum visa length of 3 years or less - from 7 April 2024 due to changes made to the AEWV. 	A dairy farm assistant on a five year AEWV can apply for a Job Change to another dairy farm assistant role, and their visa duration will not be reduced. In this example, the MCS has been determined by when they were granted their visa and not by their role.	18.06.2024

<ul style="list-style-type: none"> • <i>you cannot change to a job that has a maximum visa length of 3 years or less, if your current job is entitled to a maximum visa length of 5 years.</i> <p>Does this mean that someone who is a Dairy Farm Assistant on a five year AEWV can no longer apply for a Job Change to be a Dairy Farm Assistant now that they are only eligible for a three year MCS?</p>		
<p>An applicant was granted the AEWV before 20 June 2023 for a Level 2 role (Chef) and paid above the median wage. As per WA4.10.7(d)(i) Instructions, they are eligible for a maximum continuous stay in New Zealand for 5 years.</p> <p>Now they want to apply for a Job Change (VOC) to an occupation which is at Skill Level 4, but it is listed on the Green List (Corrections Officer). Are they eligible for the grant of a VOC or not? If yes, would they still be eligible for a maximum continuous stay in New Zealand for 5 years or only 3 years?</p>	<p>If the role is listed on the Green List, the person is eligible for a maximum continuous stay (MCS) of five years.</p> <p>The person is eligible to apply for a Job Change, but Job Changes do not affect visa duration, so the balance of five years could not be applied for during a Job Change. The applicant can decide whether to a) submit a Job Change and then an application for the balance (which is a new AEWV application) at a later date, or b) submit a new AEWV for the Green List role for the balance of the maximum continuous stay.</p> <p>The original job token will not be able to be used in either scenario when the balance application is made, as the role has changed. A new job token will be needed.</p>	26.06.2024

Minimum skills and suitably qualified thresholds

Question	Answer	Date added
<p>Are the minimum skills and suitably qualified thresholds required to be met when a migrant applies for the balance of their AEWV even if they didn't need to be met for their current AEWV?</p>	<p>Yes. Subsequent Accredited Employer work visa applications applied for using a re-used Job Check number as per WA4.10.20 must meet the requirements at WA4 at the time of the application.</p>	17.04.2024
<p>Regarding checking candidates offshore work experience, will a record of verbal references (taken by the potential employer) generally be acceptable rather than written references from the previous employer?</p>	<p>No. An employer taking reasonable steps to ensure a migrant's work experience meets the minimum skills threshold must sight evidence not written by the migrant worker themselves. While an employer may choose to contact the migrant worker's references verbally for an additional level of assurance in their recruitment processes, they still must also sight documentation. If doing a verbal check, best practice is to follow up with verification of</p>	17.04.2024 Answer updated 25.06.2024

	employment in writing from the previous employer. This could be as simple as obtaining an email from the previous employer confirming the position of the candidate and dates of employment.	
Does the change mean that Health Care Workers who currently meet the requirements of the Health Care Workers Pay Equity Agreement by holding a Level 3 qualification and Level 3 pay rate will now require a Level 4 qualification?	The changes to minimum skills and experience requirements will apply to applicants under the Care Workforce sector agreement. Therefore, they will need to either hold a Level 4 qualification or demonstrate three years of work experience.	17.04.2024
For someone who has completed a course but hasn't graduated yet, does this meet the qualification requirement?	Instructions require that a copy of the qualification certificate awarded to the applicant specifying the qualification type and awarding institution be provided as evidence. However, there may be instances where an applicant cannot provide the certificate at the time of submitting the application. If the person provides evidence of completing the course and undertakes to submit the completed qualification as soon as possible, this may be taken into consideration by the Immigration officer.	17.04.2024
Regarding these changes, what does 'relevance' mean in terms of qualifications and work experience?	A qualification or work experience can be considered relevant if it is in the same field or industry as the job offered. This definition of relevance allows experience within different roles to be considered relevant – for example experience as a kitchenhand could be considered relevant to a role as a chef because they are both in the same industry. Qualifications that are Bachelor's degrees or higher can be considered relevant to any employment offered.	17.04.2024
Can I use my bachelor's qualification despite it not being relevant to my job offer?	Qualifications that are bachelor's degrees or higher can be considered relevant to any employment offered as per WA4.10.6	19.04.2024
In what situations will INZ require IQA tests for Bachelor-level qualifications or higher?	It is not required in order to make the application. INZ may ask for an IQA if there are concerns with the authenticity of the document.	19.04.2024

<p>WA2.10.14(b)(iii) - the employer having to “reasonably believe” a qualification to be at least NZQCF Level 4, how will this be interpreted? How is this related to the fact that WA4.10.6 (e)(ii) the IQA is in fact required?</p>	<p>As long as the employer has seen a qualification and they're satisfied that the person has the skills roughly equivalent to a NZQCF Level 4, they have met their obligations.</p> <p>Migrants who are relying on an overseas qualification will need to provide an IQA with their AEWV application, if their qualification is not a Bachelor's degree or higher. But the employer does not need to see the IQA at the Job Check stage.</p> <p>Employers who want to be absolutely sure that their candidate has a comparable qualification can ask for an IQA. But we recognise that this is not practical for a lot of employers during the recruitment process.</p>	<p>19.04.2024</p>
<p>Do all AEWV applicants relying on overseas-comparable level 4 - 6 qualifications need an IQA?</p>	<p>IQAs must be provided for qualifications which are below a Bachelor's degree and from outside New Zealand.</p>	<p>17.04.2024</p>
<p>WA4.10.6(f)(ii) refers to “twice the median wage or higher”. Where the employment offer is for twice the AEWV median wage the employer is deemed to have taken reasonable steps to ascertain suitability/qualification for the role where either the employee is asked to undertake a practical test, or interviewed, or has relevant occupation registration. Is it therefore correct that there is no requirement for these roles to show any qualification or experience in the AEWV application?</p>	<p>They do not need to meet the minimum skills threshold but they still need to meet the requirements of the role set by the employer.</p>	<p>19.04.2024</p>
<p>WA4.10.6(c) says "Qualifications that are bachelor's degrees or higher can be considered relevant to any employment offered.", does this mean for AEWV application, candidates who hold Bachelor of Arts can apply for a job to work as a chef (for example), and the suitably qualified requirements will be met?</p>	<p>Qualifications that are bachelor's degrees or higher can be considered relevant to any employment offered as per WA4.10.6.</p>	<p>19.04.2024</p>
<p>In determining minimum skills threshold of relevant three years' work experience, does the experience need to be consecutive?</p> <p>For example, a migrant may have accumulated 24 months' experience, took a career break for 12</p>	<p>No, this does not need to be consecutive.</p>	<p>19.04.2024</p>

months, and returned to the workforce and accumulated another 12 months.		
Will employers still need to undertake 'reasonable steps' to ensure the applicant is 'suitably qualified' and meets the 'minimum skills threshold' requirement if the role they're offering pays at least twice the median wage and/or on the green list?	<p>Where the job is on the Green List (and the employer has ensured that the migrant meets those requirements) OR if the job pays twice the median wage or higher and the employer has taken steps to ensure they're suitably qualified, then the employer will be considered to have taken 'reasonable steps' to ensure that the applicant meets the minimum skills threshold and is suitably qualified to do the work on offer (WA2.10.14d)</p> <p>To ensure that a migrant is 'suitably qualified', the employer must either -</p> <ul style="list-style-type: none"> -require a practical test of the person, OR -require the person to demonstrate their knowledge through a job interview, OR -sight evidence that they hold occupational registration for the job. 	19.04.2024
Would INZ recommend to migrants who wish to apply for an AEWV based on their non-degree level qualification, to obtain an IQA as soon as possible and send this to INZ to save on their file to avoid delays?	We will require both the qualification and the associated IQA when the person applies for their AEWV. We require AEWVs to have complete documentation and will generally not hold applications open while people collect documents such as IQAs or Police Certificates.	19.04.2024
WA4.10.6 g. If a previous AEWV application was assessed showing one year of experience; for the next application for the same role will we need to show three years, a further two years, or will the previous assessment suffice (i.e. as demonstrated suitably qualified with one year previously, do we now need to prove three years?)	We can consider work experience that was supplied as part of previous applications without having to sight it again.	19.04.2024
WA4.10.6. Can part-time experience be counted towards proving the required 3 years' experience? E.g. 15 hours a week pro-rated so two years would be equivalent to one year full time?	Yes.	19.04.2024
WA4.10.6 c. Is the Level 7 bachelor's degree referred to at WA4.10.6 c. any bachelor's degree from any country, or does it need to be recognised on Appendix 3, or NZQA assessed?	It can be any Bachelor's degree from any country, although INZ reserves the right to request an IQA if there are any concerns about the degree.	19.04.2024
Regarding WA2.10.14, how shall an employer demonstrate to INZ that they have	Ideally employers should keep a record of the evidence the worker provided on file,	1.05.2024

<p>assessed/sighted the worker's evidence of relevant work or qualification? Would a statement declaring the evidence sighted suffice?</p>	<p>otherwise they should keep a record of the details of the document they sighted and the date it was sighted. INZ may ask to see this evidence in some circumstances, but in others may rely on declarations from the employer.</p>	
<p>For roles that earn twice the median wage, what steps should an employer take to ensure that the migrant meets the minimum skills threshold and is suitably qualified?</p>	<p>Employers are not required to take reasonable steps to ensure that the migrant meets the minimum skills threshold if they are offering jobs paid twice the median wage.</p> <p>Employers are required to take reasonable steps that the applicant is suitably qualified to do the job offered by requiring either a practical test; demonstrating their knowledge through a job interview; or sighting evidence that they hold the required registration. They may also choose (and are encouraged) to sight additional documents such as work reference letters or payslips. (WA2.10.14d. and WA2.10.14c.)</p>	<p>3.05.2024</p>
<p>Do applicants who earn twice median wage need to provide evidence of meeting the minimum skills threshold or are suitably qualified as part of their AEWV application? What if the employer was seeking to fill a role that is primarily 'skills based' rather than qualifications and work experience?</p>	<p>Applicants who earn twice the median wage are deemed to meet the minimum skills threshold as per WA4.10.6.f.ii. As such they're not required to provide evidence of meeting the minimum skills threshold.</p> <p>To demonstrate meeting the 'suitably qualified' requirements if the applicant provides evidence to show that they have the "qualifications, work experience and other skills that were listed by the employer in the Job Check application as the minimum requirements for the job, that would satisfy the 'suitably qualified' requirements as per WA4.10.5.</p>	<p>1.05.2024</p>
<p>How will INZ treat applicants moving from MEPV to AEWV who may not meet the minimum skills threshold?</p>	<p>There are no exceptions for this cohort, therefore they will be treated the same as other migrants when applying for an AEWV and will need to meet all requirements applicable to their circumstances.</p>	<p>17.05.2024</p> <p>AEWV webinar question</p>
<p>It appears WA4.10.5 has not been amended, suggesting no NZQA/IQA is required for the suitably qualified test. Is this correct/please confirm the approach?</p>	<p>Correct, there have been no changes to how suitably qualified is assessed. An IQA may be requested if there are particular concerns that an overseas qualification is a very different level from what has been required by the</p>	<p>17.05.2024</p> <p>AEWV webinar question</p>



	employer, but it is not required in most situations.	
WA4.12.1(e): If someone applied for and obtained a student visa to study a level 4 qual, can this be considered as having been already assessed?	Not unless the actual qualification (and IQA) was provided to INZ as part of a previous application. Simply being approved a visa to study a level 4 qualification in itself would not meet the requirements for an immigration officer having already assessed and accepted the qualification as part of a previous application. The actual qualification (and IQA) would have needed to have been provided to INZ as part of a previous application.	17.05.2024 AEWV webinar question
In the AEWV Changes (and related announcement) Q&As: the following question shows: "Do all AEWV applicants relying on overseas-comparable Level 4-6 qualifications need an IQA? IQAs must be provided for in qualification which are below a Bachelor's degree and from outside New Zealand" Can we confirm that If a person studied a Level 4 to Level 7 diploma qualification physically in New Zealand and the qualification was awarded by a New Zealand education provider, whether an IQA is still required to satisfy WA4.10.6.e.ii?	IQAs must be provided for qualifications which are below a Bachelor's degree and from outside New Zealand. They are not required if the qualification was awarded in New Zealand by a New Zealand education provider.	17.05.2024
For the minimum skills threshold, can the three years work experience be part time on a pro rata basis instead of full time?	Part time relevant work experience can be considered on a pro rate and case-by-case basis, however applicants will need to provide evidence of the number of hours that they were working each week.	28.05.2024
Does overseas three months (paid) internship work count towards the three years' work experience requirement under the new AEWV?	This could be considered on a case-by-case basis if the applicant was employed and is able to provide evidence of relevant work experience such as that outlined at WA4.10.6(d)	28.05.2024
can you confirm if an employer uses CV Check to verify a candidate's qualifications and work experience - if this is sufficient? They do not necessarily SIGHT the documents and use alternative methods to verify information from candidates	Immigration instructions state that the employer needs to make sure that they are taking reasonable steps ensure that the person they are employing meets the minimum skill threshold and that could include sighting evidence of either a qualification or work experience and keep a record of it as evidence to show INZ. Sighting a report or outcome from a reputable verification service who has confirmed employment would generally meet	06.06.2024 AEWV webinar question

	the requirement provided the employer kept a record of the results.	
For applicants applying for new AEWVs who have been granted a work visa to work in the same role previously, are they automatically deemed to meet the minimum skills threshold based on the prior application assessment OR is it only if work experience evidence was submitted and assessed and accepted as part of that prior application?	<p>The minimum skills threshold (WA4.10.6) is different to whether the applicant is suitably qualified to do the job (WA4.10.5). If INZ accepted someone previously as meeting WA4.10.5, this doesn't mean they necessarily meet WA4.10.6.</p> <p>Regarding both the minimum skills threshold (WA4.10.6.g.i) and the suitably qualified requirement (WA4.10.5.c.i) instructions, INZ would need to have <u>assessed and accepted</u> evidence of the work experience, qualification, skills, or other specifications in a previous application. If an applicant has held a work visa for the role previously, this does not mean INZ would automatically accept that the minimum skills threshold and/or suitably qualified requirements are met. Regarding the phrase 'accepted', this means the Immigration Officer must have reviewed the documentation provided and been satisfied it is sufficient.</p>	22.07.2024

ANZSCO assessments

Question	Answer	Date added
Will INZ determine the ANZSCO match in the course of the job check, or the AEWV Application, or both?	Primarily at Job Check. There generally will not be a requirement to check ANZSCO for AEWV.	19.04.2024
What happens if the job check accepts the ANZSCO match as skilled (i.e.; ANZSCO 1,2 or 3) however in the AEWV assessment the new Immigration Officer takes a different view?	Instructions require the ANZSCO level to be determined at the Job Check level. Where employers are consistently inflating jobs it may impact the assessment of job checks for them in the future.	19.04.2024
Can immigration officers determine a job to be a lower ANZSCO code contrary to what the employer has assessed? If so, will INZ send a PPI letter?	<p>Yes. WA3.16c states -</p> <p>Where an employer has declared that the job offered is at ANZSCO Skill Level 1-3 however an immigration officer determines that the job is at ANZSCO Skill Level 4-5, the Job Check will be assessed according to instructions that apply to Skill Level 4 and 5 occupations.</p>	1.05.2024

	<p>In such cases, INZ will send a PPI letter to the Employer outlining the officer's assessment and requesting comment.</p> <p>Employers should take care in determining the appropriate ANZSCO level as employers will not be given the opportunity to re-advertise or meet the extended advertising period. This is consistent with the immigration instructions which state that advertising needs to be completed prior to the application being submitted.</p> <p>Refer to the website https://www.immigration.govt.nz/employ-migrants/new-employer-accreditation-and-work-visa/passing-the-job-check/advertise-a-job-and-engage-with-work-and-income for further details.</p>	
<p>The INZ website has links to two different ANZSCO classification sources; Ariā - Classifications (stats.govt.nz) and 1220.0 - ANZSCO - Australian and New Zealand Standard Classification of Occupations, 2013, Version 1.3 (abs.gov.au). Both note they are Version 1.3 but they do not appear to be the same. Are they the same and if not, which one should stakeholders be using?</p>	<p>Stakeholders should use the immigration view of version 1.3 of the ANZSCO provided by Statistics New Zealand in their Aria classification management system, as required by WA3.1 (c).</p> <p>Statistics New Zealand and the Australian Bureau of Statistics now have different versions of ANZSCO. INZ will use the New Zealand version going forward. Version 1.3 of each is substantially similar but with some minor differences for some occupations. If stakeholders prefer to use the ABS version to navigate within and see all the information about an occupation on a page, it's recommended they check the occupation in the Stats NZ version to confirm it is the same.</p>	1.05.2024
<p>Following on from the question above, if Aria is to be used, is INZ aware that the level which appears in the code search is NOT the skill level of the Job and instead stakeholders must bring up the detailed information about the job and look for the ANZSCO skill level? Is anything being done to clearly articulate this to migrants for example who may not have the same understanding as other stakeholders? Example screenshot below.</p>	<p>INZ is aware and is developing further communications including website materials to reduce confusion about the results displayed after an occupation title or occupation code search.</p>	1.05.2024

<p>253312 (Lvl:5)   Cardiologist</p>		
<p>Will the ANZSCO code chosen at the Job Check stage feed into residence?</p>	<p>INZ will generally make a separate assessment at residence stage but in many cases where the role is the same and there is no changed circumstances or any other reason to make a change, the ANZSCO code selected at the AEWV stage will be the same as that in residence.</p>	<p>17.05.2024 AEWV webinar question</p>
<p>This question is about how INZ applies WA3.16.1 in assessing an employer’s advertised role. Since it is not required to put the minimum skills threshold onto the advertisement, if the employer wants to attract more people and set a low requirement for qualification or work experience, e.g. only 2 years relevant work experience for a Carpenter role (Lvl 3). Because the requirements are less than ANZSCO’s prescription, would the immigration officer down-skill the job (WA3.16.1 (d)(ii)) and consider the role a Level 4 job?</p>	<p>An immigration officer may consider the qualifications required for the job by the employer when determining the occupation of the role, and the corresponding skill level (WA3.16.1 (d) (ii)). Immigration officers are not able to prescribe a skill level independently of a corresponding occupation.</p>	<p>1.05.2024</p>
<p>Given a Cook has been now designated in ANZSCO 1.3 as a Skill Level 4 in New Zealand (although a 3 in Australia!) is INZ anticipating problems where so many pre-8th April Job Checks for Chefs/Cooks were run with the ANZSCO Coding for a CHEF when likely on an ANZSCO assessment they would be considered a Cook? In some cases we have seen Job Checks by large employers run for “Chefs” with a generic job description that was supposed to cover a range of levels of Chefs. The tokens are still alive so how is INZ going to deal with these at AEWV stage?</p>	<p>The ANZSCO assessment is completed at the Job Check stage and the assessment at the AEWV stage will be based on what was approved in the Job Check. Therefore, if a Job Check was approved for a Chef (Skill Level 1-3) then the applicant will need to meet the associated requirements for AEWV.</p> <p>If an incorrect ANZSCO is identified after the Job Check has been approved, it will require a new Job Check application to reassess the ANZSCO and that Job Check can be used for either a Job Change or a new AEWV.</p> <p>If the AEWV application has been submitted on or after 7 April 2024, the ANZSCO determination as per the job check (assessed under previous instructions) can will be used for the application on hand without any additional ANZSCO assessment.</p>	<p>28.05.2024 AEWV webinar question</p>
<p>Will INZ notify us of the Job Check downgrade prior to approving the Job Check application?</p>	<p>Normally yes a PPI letter would be sent as the downgrade usually means labour market test requirements haven't been met. However, if the change in occupation doesn't result in a Job Check application being declined (for example the labour market testing requirements have been met for the</p>	<p>28.05.2024</p>

	occupation), INZ will not seek comment from the employer before approving the Job Check.	
If an incorrect ANZSCO was used in a job check (i.e. a level 4 or 5 ANZSCO), but it's clear that the role is actually a level 1 – 3 role, can a balance application be submitted without needing to meet the requirements for level 4 – 5 ANZSCO roles (such as English language requirements) or must a job change be submitted first?	The role that is in the Job Check is the role that will be applied to the visa and will determine the requirements that the visa holder has to meet. If an incorrect ANZSCO is identified during the Job Check processing, this should be resolved during the assessment of that application. If an incorrect ANZSCO is identified after the Job Check has been approved, it will require a new Job Check application to reassess the ANZSCO and that Job Check can be used for either a Job Change or a new AEWV.	28.05.2024
As per immigration website https://www.immigration.govt.nz/new-zealand-visas/preparing-a-visa-application/working-in-nz/qualifications-for-work/check-anzsc-list , the personal care assistant (423313) will be considered skill level 3 position if they meet following skills requirement. What about those applicants will not meet one of these and job check is approved before 7/4/2024. Will Immigration consider them skill level 3 or 4 position and does the applicant needs to meet English Test requirement if it is Skill 4 and not required if is skill level 3? The skill requirements are: <ul style="list-style-type: none"> • occupational registration (if required), and • at least 3 years of relevant work experience, or • a relevant qualification, that is at least level 4 (for ANZSCO skill level 3) or a diploma (for ANZSCO skill level 2) on the New Zealand Qualifications and Credentials Framework (NZQCF). 	The approved Job Check would specify the qualification and/or work experience required by the employer. If the Personal Care Assistant job required either 3 years work experience or a Level 4 qualification, this would indicate that the job is a Skill Level 3. If the migrant applies for an AEWV on or after 7/04/2024, they will need to meet the new requirement. If the role they're applying for have been assessed as a Level 4, then they will need to meet the English Language requirements.	28.05.2024 AEWV webinar question
For ANZSCO code assessments, does INZ round up or down if there's not an exact match? For example, if 40% of a role matched an ANZSCO level 4 role but the other 60% matched an ANZSCO level 3 role, would the matching be rounded down to level 4 or up to level 3? + If a job has dual role requirements including Green List requirements- for example Electrician (green list) and metal machinist (non-green list) what anzsc should be used? +	INZ uses the ANZSCO occupation that is the closest match to the role. INZ looks at the role in its entirety, including the circumstances of the employer, the degree of responsibility of the role (where this is relevant), the pay offered and the qualifications and/or work experience required. INZ can only apply one ANZSCO code to a job check application. Where a job has a high proportion of tasks and responsibilities associated with an ANZSCO 4 or 5 occupation as well as some associated with higher skill level occupations, employers should engage with MSD and advertise widely to check the	28.05.2024

<p>Sometimes the job duties are an even mix of skill level 3 & 4. An example - Hairdresser (skill L 3)/beauty therapists (skill L 4). The applicant will be required to perform 50% job duties from each ANZSCO. Will they be required to go through MSD or what will be LMT requirements from such roles?</p>	<p>availability of suitable New Zealanders for the role. This will prevent a Job Check application being declined for failing to meet the labour market testing requirements for an ANZSCO 4 or 5 occupation if the role is determined to match a lower skill level occupation.</p>	
<p>what guidelines are available to IOs about how to assess advertisements that don't quite fit ANZSCO qualification and/or work experience requirement, but where the employer has considered 'minimum requirements for necessary to do the job'?</p>	<p>Immigration officers use ANZSCO as a guide to determine whether a role meets immigration instructions and assess whether the requirements advertised is suitable for the role on offer. Employers who require a higher work experience or qualification than what ANZSCO stipulates will need to explain why their role requires a higher level of skill than normal.</p>	28.05.2024
<p>Is it reasonable for an employer to request 3 years of experience when advertising any role now that any migrant applicants will be required to meet this, or will INZ deem this unacceptable when this is above the ANZSCO requirements for a lower skilled role?</p>	<p>The labour market test and whether the applicant is suitably qualified and meets the minimum skills threshold are separate considerations. Employers are not required to apply the new minimum skills threshold requirements in their advertisements to attract New Zealand job seekers. As part of the Labour Market Test, WA3.20.1d(iii) requires that the job advert must include the minimum qualifications, work experience, skills or other specifications required for the job. In addition, the WA3.20.1.e further specifies that the minimum qualifications, work experience, skills or other specifications required for the job must only include those necessary to perform the work on offer and be the same as those stated in the application form. INZ may look to ANZSCO to determine whether the minimum qualifications, work experience, skills or other specifications identified by the employer are necessary to perform the work on offer. Employers' attempts to recruit NZers into the role must be genuine, and the advertising must only reflect what is required for the role. If there are concerns that employers are advertising roles with requirements that are not genuinely needed, INZ may consider the advertising not genuine. As the minimum skills threshold is an INZ requirement not a role</p>	28.05.2024 AEWV webinar question

	<p>requirement, it is okay for the advertising submitted at the Job Check stage not to reflect the minimum skills threshold, as long as the migrant that is hired meets the threshold.</p>	
<p>As INZ officers can "downgrade" an ANZSCO code selected by the employer for the job check, can they also "upgrade" it if appropriate?</p>	<p>Yes they can. While assessing a Job Check application, an immigration officer must consider whether the role on offer is a substantial match to the role listed by the employer and the ANZSCO skill level that has been claimed for the role. Based on that assessment, the immigration officer can downgrade or upgrade the ANZSCO skill level.</p>	<p>28.05.2024</p> <p>AEWV webinar question</p>
<p>When the employer does the job advert and Job Check, for a skill level 4 occupation such as 621511 Retail supervisor, ANZSCO requires a Level 2 or 3 qualification or one year experience – can the employer require a Level 4 qualification which is higher than the ANZSCO requirement? How would INZ assess this/would a PPI be sent?</p>	<p>The labour market test and whether the applicant is suitably qualified and meets the minimum skills threshold are separate considerations. Employers are not required to apply the new minimum skills threshold requirements in their advertisements to attract New Zealand job seekers.</p> <p>As part of the Labour Market Test, WA3.20.1d(iii) requires that the job advert must include the minimum qualifications, work experience, skills or other specifications required for the job. In addition, the W3.20.1.e further specifies that the minimum qualifications, work experience, skills or other specifications required for the job must only include those necessary to perform the work on offer and be the same as those stated in the application form.</p> <p>INZ may look to ANZSCO to determine whether the minimum qualifications, work experience, skills or other specifications identified by the employer are necessary to perform the work on offer.</p> <p>Employers who require a higher work experience or qualification than what ANZSCO stipulates will need to explain why their role requires a higher level of skill than normal.</p>	<p>28.05.2024</p> <p>AEWV webinar question</p>
<p>Officers have recently started expecting employers to advertise with minimum requirements in line with ANZSCO. This is a massive shift from what ANZSCO's role in current instructions is. What is ANZSCO's actual role in the current assessment of JCs and AEWVs?</p>	<p>As per WA3.20.1 (d) iii and (e), the minimum qualifications and work experience, skills or other specifications required for a role are not a new requirement of advertising.</p> <p>In terms of the role of ANZSCO, INZ assesses which ANZSCO occupation a role is at the Job Check stage. INZ looks at the job description, the job advertisement, and the declarations on</p>	<p>28.05.2024</p> <p>AEWV webinar question</p>

	<p>the application form, and whether or not these appear to be substantially consistent with the core tasks listed in the ANZSCO for that occupation. A role does not have to be advertised with exactly the same requirements as the ANZSCO, but those are relevant to the assessment. For example, if the role is a senior role and the person needs to meet a higher skill threshold or a special skill requirement, the employer will need to provide an explanation about this.</p> <p>At the work visa stage, the ANZSCO code is generally not assessed as the visa application is made based on a Job Check application where this has already been assessed. However, the skills/experience etc that the applicant has needs to match what's in the Job Check.</p>	
<p>Skill level 1 role - can IO raise an issue with the advert NOT asking for 5 years or bachelor — instead asking for say 2 years? (So significantly less than ANZSCO)</p>	<p>Yes, as this may indicate the role is not actually a skill level 1 occupation.</p> <p>If requirements are set significantly lower than ANZSCO, concerns may be raised as this may indicate the role is not actually at the ANZSCO level the employer has selected. In such cases, INZ will send a PPI letter to the Employer outlining the officer's assessment and requesting comment.</p>	<p>28.05.2024</p> <p>Answer updated 18.06.2024</p>
<p>Is it correct that the occupations exempt from being paid the median wage are not required to be listed with work and income, regardless of which ANZSCO level they are?</p>	<p>If an employer wishes to hire migrants in an ANZSCO level 4/5 role, they must engage with WINZ even though the role may be exempt from being paid the median wage. However if the role is paid twice the median wage, or is on the Green List or at ANZSCO level 1-3 (even if the role is exempt from being paid the median wage) the employer will not be required to engage with WINZ or advertise on a suitable national listing website</p>	<p>28.05.2024</p>

Labour market test

Question	Answer	Date added
<p>By 'readily trainable', is this defined as the period of relevant experience listed in the ANZSCO for the role?</p>	<p>Readily trainable means being able to be trained on the job within a reasonable period of time. There is no exactly defined period, but we'd generally consider people who could be</p>	<p>17.04.2024</p>

	trained on the job within about six months to be 'readily trainable'.	
Have Work and Income made any commitments to process listings within a certain timeframe?	Work and Income have committed to getting back to employers about their listings within five working days.	17.04.2024
Regarding Level 4 & 5 ANZSCO, it seems that for the AEWV process, candidates need to show the same level of work experience or qualification as Level 1 - 3, e.g. three-year work experience or NZQA Level 4 and above qualification - How is this going to work in practice when employers engage with WINZ for lower-skilled occupations that do not require this level of experience or qualifications i.e. can employers ask WINZ to ensure the 3 year or level 4 & above qual requirement is met?	Employers should make sure that their New Zealand advertising including engagement with Work and Income only includes qualifications and skill requirements that are genuinely required for the role. This will allow Work and Income to provide candidates for the role. Also, employers are not required to apply the new skill threshold to New Zealand applicants. The role can be advertised with a lower skill threshold when testing the domestic labour market and it's ok for the advertising submitted at the job check to reflect this.	19.04.2024
When the employer advertises the role to New Zealanders, does it need to be advertised as requiring the new minimum skills level of the AEWV?	Employers are not required to apply the new skill threshold to New Zealand applicants. The role can be advertised with a lower skill threshold when testing the domestic labour market and it's ok for the advertising submitted at the job check to reflect this	17.04.2024
Regarding Level 4 & 5 ANZSCO, it seems that for the AEWV process, candidates need to show the same level of work experience or qualification as Level 1 - 3, e.g. three-year work experience or NZQA Level 4 and above qualification - How is this going to work in practice when employers engage with WINZ for lower-skilled occupations that do not require this level of experience or qualifications i.e. can employers ask WINZ to ensure the 3 year or level 4 & above qual requirement is met?	Employers should make sure that their New Zealand advertising including engagement with Work and Income only includes qualifications and skill requirements that are genuinely required for the role. This will allow Work and Income to provide candidates for the role. Also, employers are not required to apply the new skill threshold to New Zealand applicants. The role can be advertised with a lower skill threshold when testing the domestic labour market and it's ok for the advertising submitted at the job check to reflect this.	19.04.2024
For Level 4 and 5 roles, would employers always need to specify in their advertisements that they require either a minimum of 3 year's relevant work experience or level 4 qualification?	No, as this is a requirement for the migrant and not for any New Zealander who applies. The advertising needs to list the requirements of the role the employer is trying to fill.	19.04.2024

<p>Can the advertising period for lower-skilled roles be considered non-consecutive before submitting a job check application?</p> <p>For example, if the employer has already advertised for 14 days and was ready to submit a job check application before the changes, can they do a further advertisement for another 14 days and advertise with W&I?</p>	<p>Yes. However, employers must ensure the job check is submitted within 90 days of the periods of advertisements, including if the role needed to be advertised with W&I.</p>	<p>19.04.2024</p>
<p>For approved Level 4 and 5 job checks, if the employer did not engage with W&I, must they now go back to WINZ now?</p>	<p>No.</p>	<p>19.04.2024</p>
<p>Does Work and Income have an email address where employers can follow up if needed?</p>	<p>Yes, the email address is: MSD_Engagement_Check@msd.govt.nz</p>	<p>1.05.2024</p>
<p>When looking for a suitable and available new Zealander to do the job – whether there are more specific requirements/benchmarks than set out on the website that an employer will be assessed by INZ against? e.g. for the criteria about living close to where the job is or be able to move there, whether it would be a case of those within 10km would be considered “close” but those that don’t are not?</p>	<p>The assessment looks at the particulars of the situation and considers whether the criteria has been “reasonably met/not met” as opposed to meeting any specific metric/figure, e.g. a job 10k away is unreasonable if someone has to walk, but manageable if there’s a direct train, of other forms of transport available.</p>	<p>3.05.2024</p>
<p>WA3.20.3.d states that the listing with Work and Income must be consistent with advertising; however, WA3.20.3.d doesn't include the minimum qualifications, work experience, skills or other specifications required for the job, which is necessary as per WA3.20.1.d in the advertising.</p> <p>As WA4.10.6 stipulates a requirement of 3 years of previous work experience or a level 4 qualification, do these requirements need to be specified in the advertising or the listing with Work and Income? Particularly for ANZSCO codes that have significantly lower NZQF requirements and only one year of work experience as an example.</p>	<p>WA3.20.3 requires that the listing with WINZ be consistent with advertising undertaken generally for a skill level 4 or 5 position. This does not mean it needs to be identical or include the same information. So long as the information does not conflict this will be consistent with policy requirements.</p> <p>The skill level required for a migrant and the advertising required for a New Zealander are separate considerations and therefore the requirements as per WA4.10.6 do not need to be included in the WINZ advertisement.</p>	<p>1.05.2024</p>
<p>Will there be a template/form for work and income for employers? If so, when will it be available?</p>	<p>The form on the INZ website is here: Hiring migrant workers - Work and Income</p>	<p>17.05.2024</p> <p>AEWV webinar question</p>
<p>In the previous INZ webinar, we were informed that Work & Income aims to get back to the</p>	<p>The general timeframe for WINZ to get back to an employer is 5 working days. This will</p>	<p>22.05.2024</p>

<p>employers within five working days. For a client we have been waiting for longer than this. Despite our calls and emails, we could not obtain any response. Is there any actual processing time for WINZ engagement?</p>	<p>confirm whether a vacancy will be listed or whether they do not have candidates. Where the vacancy will be listed, a work broker in the region may also be in touch to discuss the vacancy before listing it, and there will be a confirmation email once the listing has gone up. If anyone has any concerns about a specific case, they can contact MSD_Engagement_Check@msd.govt.nz</p>	<p>AEWV webinar question</p>
<p>If the minimum skills requirement for a labourer role under ANZSCO is no experience, but the INZ minimum skills requirement for the migrant worker is 3 years, can the employer advertise that 3 years' experience are required for the role, or does the employer have to advertise in line with ANZSCO for the advertising to be considered genuine?</p>	<p>The role should be advertised with the actual requirements an employer needs to fill the role. The purpose of the advertising requirement is to identify any New Zealanders who can do the job. INZ will assess whether the requirements included in the advertising are genuinely required to do the job, and if the advertising sets out requirements that are too high, the job check may be declined.</p> <p>ANZSCO will be used as a general guide to what is required. An employers may need a higher level of qualifications or experience than what is required by ANZSCO, but they will need to make a case why that is (for example it might be a job that has some supervisory duties or other higher duties).</p>	<p>17.05.2024</p>
<p>Is it reasonable for an employer to request 3 years of experience when advertising any role now that any migrant applicant's will be required to meet this, or will INZ deem this unacceptable when this is above the ANZSCO requirements for a lower skilled role?</p>	<p>The labour market test and whether the applicant is suitably qualified and meets the minimum skills threshold are separate considerations. As noted previously, employers are not required to apply the new minimum skills threshold requirements in their advertisements to attract New Zealand job seekers.</p> <p>As part of the Labour Market Test, WA3.20.1d(iii) requires that the job advert must include the minimum qualifications, work experience, skills or other specifications required for the job. In addition, the WA3.20.1.e further specifies that the minimum qualifications, work experience, skills or other specifications required for the job must only include those necessary to perform the work on offer and be the same as those stated in the application form. INZ may look to ANZSCO to determine whether the minimum qualifications, work experience, skills or other</p>	<p>28.05.2024</p>

	<p>specifications identified by the employer are necessary to perform the work on offer.</p> <p>Employer's attempts to recruit NZers into the role must be genuine, and the advertising must only reflect what is required for the role. If there are concerns that employers are advertising roles with requirements that are not genuinely needed, INZ may consider the advertising not genuine. As the min skills threshold is an INZ requirement not a role requirement, it is okay for the advertising submitted at the Job Check stage not to reflect the min skills threshold, as long as the migrant that is hired meets the threshold.</p>	
If the job is found to be an ANZSCO Level 4-5 role, would INZ provide an opportunity to the employer to engage with WINZ and advertise the role on job search boards for 21 days' to meet the Labour Market Test?	No. INZ will not hold applications to enable employers to carry out engagements with WINZ and/or advertise on job search platforms for 21 days.	28.05.2024

Six roles that can be recognised as a higher skill level

Question	Answer	Date added
Is the guidance on the INZ website relating to the six roles recognised as a higher ANZSCO skill level for SMC, AEWV, and all temporary work visas still applicable under the new AEWV changes?	Yes, the guidance on the INZ website is still applicable under the new changes.	19.04.2024
For Level 4 & 5 roles recognised as a higher skill level (such as Aged or Disabled Carer; Driller & Bicycle Mechanic) would employers need to go through W&I and advertise for 21 days?	For the six roles that are recognised as a higher skill level, employers would not need to go through W&I or advertise for 21 days.	19.04.2024
How would the minimum skills threshold and suitably qualified requirement be assessed for the six Level 4 & 5 roles 'recognised as a higher skill level'?	<p>Minimum skills thresholds apply regardless of ANZSCO skill level of the role, the only carve outs are for occupations on the Green List or earning twice the median wage.</p> <p>To be suitably qualified, an employer must be satisfied that a person meets the criteria for their role. In the case of those occupations, to be recognised as a higher skill level, the requirements of the role must be consistent with the ANZSCO skill level 3 version of that occupation. ANZSCO skill level 3 also requires</p>	19.04.2024

	<p>three years of work experience or a level 4 qualification.</p> <p>So for these occupations, the minimum skills threshold and suitably qualified for the role criteria both require the same thing.</p>	
<p>For the six roles recognised at a higher skill level for SMC, AEWV and all temporary visas – what are the specific skills requirements these roles have to meet?</p>	<p>To be suitably qualified, an employer must be satisfied that a person meets the criteria for their role. In the case of those occupations, to be recognised as a higher skill level, the requirements of the role must be consistent with the ANZSCO skill level 3 version of that occupation. ANZSCO skill level 3 also requires three years of work experience or a level 4 qualification.</p> <p>So for these occupations, the minimum skills threshold and suitably qualified for the role criteria both require the same thing.</p>	1.05.2024
<p>There are 6 roles recognised at a higher skill level for SMC, AEWV and all temporary visas. There are related skill requirements that need to be met in order to be recognised as such. Are these roles excluded from meeting the new requirements?</p>	<p>The ANSZSCO assessment for the roles that have skill level 3 and skill level 4 options – the question is not actually which skills the person has, but which skills the role requires. Obviously, more skilled people can fill less skilled roles, but it doesn't change which skills are needed to do the job. If the role being filled is a skill level 4 role (i.e. has lower skills and experience thresholds set by the employer) then the English language requirements will have to be met. If the role being filled is recognised as a higher skilled role i.e. level 3, then the English language requirements will not apply.</p> <p>Regardless of the level of the role, INZ's minimum skills and experience thresholds have to be met. However, in most cases, we'd expect that the skills or experience an applicant uses to have their role recognised at a higher skill level, can also be used to meet the new skills and exp requirements in the AEWV e.g the 3 years' work experience and an NZQA Level 4 qualification are measures in both cases.</p>	3.05.2024
<p>Can you please confirm if an AEWV applicant for a Care workforce role at Level 4 will be treated as</p>	<p>Regarding the occupations that can be recognised as a higher skill level, to be recognised as a higher skill level the</p>	17.05.2024

<p>ANZSCO Level 3 and thus not be required to provide an English language test?</p>	<p>requirements of the role must be consistent with the ANZSCO skill level 3 version of that occupation. Whether or not a role can be recognised as a higher skill level is based on what the specific role requires, not the skills/experience the person applying for it has. So it depends on the skill requirements of the specific role - an AEWV applicant for a Care workforce role at Level 4 will not automatically be treated as ANZSCO Level 3.</p>	
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Other/general

Question	Answer	Date added
<p>Are there any changes regarding interim visas for visa applicants under the AEWV?</p>	<p>No, there are no changes.</p>	<p>17.04.2024</p>
<p>What should employers do if they have a Job Check they now can't use in time due to a planned candidate not meeting the new minimum required skill threshold?</p>	<p>Job Checks already in progress at the date of the announcement are still able to be used, but any migrants who submit AEWVs on or after the date of the announcement will need to meet the new minimum skills threshold requirement. If employers are not able to find a suitable migrant prior to the Job Check expiring but still require a Job Check, they will need to submit a new one.</p>	<p>17.04.2024</p>
<p>Does a new Job Check need to be conducted reflecting the new requirements even if the existing Job Check is still valid?</p>	<p>No. Employers can still use existing Job Checks, but should be aware candidate will have to meet new requirements when they apply for a visa.</p>	<p>17.04.2024</p>
<p>For a Job Check for a Level 4 or 5 role that was approved before 7 April, is it correct that a) the job token can still be used if the applicant can satisfy the new requirements and b) engagement with Work and Income does not need to occur?</p>	<p>Yes this is correct. If the Job Check was submitted before the 7th of April, the employer does not need to go back and complete further advertising to make up 21 days and they do not need to engage with WINZ. And yes, the AEWV applicant needs to meet the English language and other requirements if they are applying for their visa on or after the 7th of April.</p>	<p>19.04.2024</p>
<p>Do applicants need to meet English and skills requirements to now qualify for the balance (if they previously qualified)?</p>	<p>Yes as they are technically a new application, the Note under WA4.10.20 states: Note: Subsequent Accredited Employer work visa applications applied for using a re-used Job Check number as per WA4.10.20, must meet</p>	<p>19.04.2024</p>

	the requirements at WA4 at the time of the applications.	
Despite earning at least the median wage (\$29.66), if an AEWV migrant working in a level 4/5 role wishes to apply for residence under SMC, do they need to be paid at least 1.5 times the non-paused median wage (\$31.61 x 1.5)?	Yes, if they wish to claim points based on income.	1.05.2024
Do all migrants need to meet at least the latest median wage threshold (\$29.66) to obtain their balance?	<p>If they are applying for the balance of the Maximum Continuous Stay with a reused token, they need to continue to be paid at least the amount that they were paid when the initial AEWV was granted. The only below median wage roles that are eligible to apply for a further AEWV with a reused token are care and transport sector roles where the AEWV was applied for on or before 6 April. Refer to WA4.10.20 for criteria on eligible to apply for a further AEWV with a reused token.</p> <p>If they are applying for the Maximum Continuous Stay balance with a new token, the employment needs to meet the current AEWV median wage (\$29.66) (unless they are an occupation that is exempt from the median wage – where the wage thresholds at WA3.15.1 apply).</p>	1.05.2024
Given that many companies in the care sector continue to see operating losses (which they asserted was as a result of underfunding) would there be a scenario in which care sector businesses would lose their accreditation, and would there be the possibility of some sort of exception from this requirement?	<p>There are a number of reasons why INZ requires employers to be 'viable and ongoing' as part of the accreditation process. For the viable and genuinely operating test, employers have to meet only one of these four requirements. As reflected on the website, the employer must:</p> <ol style="list-style-type: none"> 1. have not made a loss (before depreciation and tax) over the last 24 months; or 2. have a positive cash flow for each of the last 6 months; or 3. have sufficient capital and/or external investment (for example funding from a founder, parent company or trust) to ensure the employer's business remains viable and ongoing; or 4. have a credible, minimum two-year plan (for example by having contracts for 	3.05.2024

	<p>work) to ensure the employer’s business remains viable and ongoing.</p> <p>If employers do not meet the first test, then they are asked if they meet the second, then the third, then the fourth.</p> <p>If an application fails to meet the requirements of the employer accreditation instructions, including the viable and genuinely operating test, immigration officers may consider if a waiver is appropriate, taking into account:</p> <ul style="list-style-type: none"> • all the circumstances of the application; and • the objectives of the instructions; and • the situation of the employer. <p>Any decision to waive specific requirements in these instructions must be approved by an immigration manager or higher.</p>	
Can you please clarify paused and non-paused median wage for AEWV applications?	<p>The ‘paused’ median wage is the February 2023 median wage (\$29.66), as the Government has paused the increase of the median wage rate for the AEWV that was due to go up in February 2024. The pause also extends to median wage requirements for partners of workers.</p> <p>The ‘non-paused’ median wage is the February 2024 median wage (\$31.61) that is used for many other visa categories, such as the Skilled Migrant Category and Parent Category.</p> <p>Be sure to check which median wage above applies to your specific situation regarding these policy changes. Information is available in the instructions and on our website.</p>	17.05.2024 AEWV webinar question
WA4.10.20 For visa extensions using the same token do applicants need to demonstrate experience or qualification / English language requirements (for level 4/5 roles)?	Yes for all applications submitted on or after 7 April.	1.05.2024
What happens to those that had already applied for the extension that has not yet been granted?	These will be processed in line with instructions in place prior to 7 April and as per the general instruction on order of processing.	1.05.2024

	Anyone who has already applied for a further AEWV will be assessed on the criteria that was in place on the date they applied. That means people who applied for a further AEWV based on a reuse job token before the changes came into effect will be eligible for the five-year duration that was in place when they made their application.	
Regarding advising of the departure of employees, the INZ website gives two email addresses: AEWVEmployerDeclarations@mbie.govt.nz and also INZ.ComplianceInvestigations@mbie.govt.nz. Which one should be used?	The AEWV email address has been set up for employers to submit their compulsory employee notifications. The other email address is for other change of circumstances such as relationship breakdown.	1.05.2024
Will INZ consider extending a job token if the migrant's IQA assessment is taking too long and their visa is about to expire?	Job token expiry dates cannot be extended. For tokens that will expire before June 30th, we are being facilitative and allowing applicants to submit work visa applications with evidence that an IQA has been applied for. For all applications submitted from July 1st onwards these applications need to have all requirements met at lodgement.	1.05.2024
Regarding NZQA timeframes, if an employer is genuinely advertising a role and then hiring a migrant after the job check is issued, the limitation on the job check validity of six months means timings will be close, and there will be situations where the job check expires.	The New Zealand advertising needs to be done before the job check. This leaves 6 months for the employer to recruit the migrant and ensure they obtain all the relevant documentation including an IQA and an English language test where required. An IQA is only required if the applicants role is not on the Green List or not paid twice the median wage and they're meeting the minimum skills requirements based on a relevant qualification that is below bachelors' degree. The migrant will need to make sure that they meet their requirements in parallel.	1.05.2024
Clarification request for Corrections Officers. The starting salary for a Correction Officer, a Green List Role, is \$65,019 per annum with hours of work 80hr per fortnight. This effectively means that the hourly rate is \$31.25 per hour (noting that a \$4000 per annum variable shift allowance is also paid on a regular fortnightly basis, however this is presumably excluded from the pay rate calculations) - could we please have confirmation that this is correct?	INZ would need to see the employment agreement to be able to answer this question accurately. In general terms, if the remuneration is not guaranteed then it can't be included in the calculation (WA3.30 (b)). However, Corrections officers receive a 'variable shift allowance' but because MBIE understands this is actually a guaranteed allowance, it can be included in INZs salary calculations.	Answer updated 17.05.2024

<p>Does a Correction Officer (AEWV holder) need to be earning \$31.61/hr to be eligible to start counting their 24 months' work experience in NZ to meet the Work to Residency requirements?</p>	<p>Yes. There is no remuneration rate required in the Green List for a corrections officer. Where an occupation does not have remuneration requirements, the work period will start to be counted when the applicant's remuneration is at or above the median wage at that time (SR5.15 (f))</p>	<p>1.05.2024</p>
<p>Following on from the question above, in relation to an AEWV's eligibility to support a partner with an 'open' work visa (rather than conditional) if work experience will only be counted if/when the AEWV holder is earning \$31.61/hr, does a Correction Officer (AEWV holder) need to be earning \$31.61/hr to be able to support their partner with an 'open' partner of a worker work visa or is it simply enough that they hold a Green List role (paying at least \$29.66/hr). Noting the Green List specific requirements (Qualifications) for a Corrections Officer are ONLY required at the time of applying for residence.</p>	<p>Corrections officers need only to be employed in that occupation to support a partner for an open work visa. The GL qualification requirements apply only at the time of applying for a resident visa.</p>	<p>1.05.2024</p>
<p>Is it correct that an applicant applying for a new AEWV as a Corrections Officer will have to meet the new English Language Requirements but will not have to meet the new Minimum Skills Requirements (as these are only required at the date of residency)?</p> <p>Is it correct that an applicant as above will only have to meet the employer's requirements in regard to skills/qualifications?</p>	<p>This is correct.</p> <p>Yes, a Corrections Officer only needs to meet the employer's requirements in regard to skills/qualifications to be granted an AEWV, since the occupation is on the Green List and there are no requirements set out on the Green List that they have to meet.</p>	<p>1.05.2024</p>
<p>Does the visa extension process remain the same (i.e. two years extension before nine months from expiry date) for AEWV holders (level 1-3) on a three year AEWV? Or can extensions now be sought earlier/encouraged to apply earlier?</p>	<p>Applications for the AEWV balance with a new job token follows normal process i.e. generally processed in date order.</p> <p>Applications for the AEWV balance with a reused job token go into a queue. We will generally only start processing AEWV balance applications when the current AEWV expiry date is within the next 9 months.</p>	<p>17.05.2024</p>
<p>Regarding AEWV balance eligibility for someone granted a 3 year AEWV before June 2023 where the job check and role is an ANZSCO skill level 4</p>	<p>No, they would not be able to apply using a reused token. Eligibility to use a reused token is based on the held AEWV. In this scenario</p>	<p>3.05.2024</p>

<p>and they were paid the median wage at that time - If the applicant gets an increase to reach 1.5 times median wage before the 3 year mark, would they be able to reuse the job token to apply for an extension based on meeting 1.5 times the median wage at the time they apply for the extension or would they not be eligible as they were not paid 1.5 times at the time they applied for their initial AEWV?</p>	<p>the held AEWV was granted prior to 21 June 2023, for a skill level 4 role paid the median wage at the time. It does not meet WA4.10.20(a)(ii) point 2, because it did not meet 1.5 x median wage when granted.</p> <p>The person could apply for an AEWV using a new token and be eligible for the longer MCS if they are now earning 1.5 x SMC median wage WA4.10.7(d)(v).</p>	
<p>WA2.35a. requires employers to advise INZ within 10 working days of :</p> <ul style="list-style-type: none"> • of any changes to their key persons, compliance with these instructions or business structure (including changes to the employer's legal entity, such as changing from a partnership to a limited company, or merging or amalgamating with another entity); and • if an Accredited Employer Work Visa holder's employment ends more than a month before their visa expires. <p>Does the obligation to inform INZ include where an employer is going through liquidation and needs to make mass redundancies?</p>	<p>Employers must be a genuinely operating business or organisation, and meet one of the 4 requirements related to their viability (WA2.10.1 (b)). If the circumstances of an employer so that they no longer meet these requirements, they must notify INZ within 10 working days.</p> <p>As you note, employers must also notify INZ of any changes to their key persons and if an AEWV holder's employment ends more than a month before their visa expires. If redundancies mean that key persons change, or an AEWV holder's employment ends, then the employer must notify INZ.</p>	3.05.2024
<p>Regarding ANZSCO skill level 4 - 5 jobs on the Green List, to apply for the balance of their visa do they need to meet Green list pay rate now?</p>	<p>All roles on the Green List, including ANZSCO skill level 4-5 jobs, are eligible for a 5 year MCS. If the original visa was issued for less than 5 years, they can apply for the balance of their visa and the Green List requirements do not need to be met. This further application must meet AEWV requirements including English language, minimum skills threshold and suitably qualified requirements stated by the employer for the job offered. The applicant may show they meet the minimum skills threshold and suitably qualified requirements through meeting the current requirements on the Green List, but this may not be required in all cases.</p>	<p>17.05.2024</p> <p>AEWV webinar question</p> <p>Answer updated 26.06.2024</p>
<p>Someone is employed under a sector agreement at less than median wage, so a two year AEWV and no extension possible. Can they apply for a one year AEWV if they get a pay rise to current median</p>	<p>If an applicant receives a new offer of employment for a role paid at or above the median wage they are eligible for a further visa and will be subject to the maximum</p>	28.05.2024

wage (assuming they meet English language and experience etc)? Will they be granted an interim visa in between?	continuous stay for that particular role. In the example referred to here, they would be eligible for the further one year visa (MCS of three years) and would be eligible for an Interim Visa.	
For an employee on a 3 year AEWV (Skill Level 4-5) who gets a promotion to a Skill Level 1-3 job with the same employer and applies for an AEWV - will they get an interim visa? E.g. Cooks employed pre 18 October 2022 who can now be employed as Chefs	If an applicant moves from a Skill Level 4/5 role to a Skill Level 1-3 role they will be eligible for a visa up to the maximum duration of the new role (i.e. 5 years) and will be eligible for an interim visa	28.05.2024
What if contract provides 60 hours in 14 days and some weeks employee works 25 hours and the following week 35 hours?	WA3.15(d) states that the proposed employment must be full time (at least 30 guaranteed hours per week for every week worked) for the duration of the employment period. If the person is paid by salary, if they work a bit longer in one week and then that is offset by time off in lieu (TOIL) in the next week, and if they are getting paid 30 hours' worth of pay every week, then that should not be an issue.	28.05.2024
An AEWV holder under the meat sector agreement left NZ after working for 5 months. They spent 4 months overseas and applied for AEWV under the sector agreement again. Would they get a work visa for only 2 months (balance of 7 months) or would they get a work visa for 7 months?	If the applicant has spent the required four months offshore the time in NZ period will restart and they will be eligible for a further visa of up to 7 months	28.05.2024
A meat process worker on AEWV (valid for 7 months) under the sector agreement to work for ABC Ltd lost their job after 4 months. They found the same job with XYZ Ltd and applied for AEWV or Job Change under the sector agreement while they are still onshore. Would they get a work visa for 3 months (balance of 7 months) or would they get a shorter visa as they would have spent more than 4 months while waiting? For example, if they waited for 2 months to get a new AEWV/Job Change approved, they would have stayed in NZ for 6 months. In this case would they get a new AEWV for a month?	In the example referred to here, the applicant may be eligible for the remaining balance of their MCS as a meat process worker (i.e. 3 months). Generally, when determining the duration of the visa, INZ calculates the time already spent on AEWV (at the time of issuing the visa) and grant the remaining balance of the MCS. In this case, in order for the new visa application to be processed in a timely manner, the applicant needs to ensure the application is decision ready before submission.	28.05.2024
A meat process worker under the sector agreement found a permanent job (ANZSCO 4-5 role) before they hit the 7 months mark and applied for AEWV. Say, they worked on AEWV under the sector agreement for 6 months and applied for a new AEWV based on the permanent	In the example referred to here, assuming the new role is not in the Meat processing sector, then the applicant is not yet required to spend time outside NZ and will be subject to the maximum continuous stay for the new role (ANZSCO 4-5 role).	28.05.2024

<p>job offer. Would they get AEWV for 1.5 years or would they need to spend 4 months overseas before applying for another AEWV?</p>		
<p>Can you give us clarification with regard to WA4.10 (a) suitably qualified for the job. According to policy, employers are required to take reasonable steps to ensure the migrant is suitably qualified for the role being offered as part of the accreditation standard. Can a case officer decline an AEWV application, if it is found that the employer didn't take reasonable steps to ensure the applicant was suitably qualified?</p>	<p>The employer's obligation to take reasonable steps to ensure that a migrant is suitably qualified is a separate consideration from the assessment of whether the applicant is suitably qualified to do the job they've been offered. WA4.10.5 states that an applicant is suitably qualified to do the job they've been offered if they have the qualifications, work experience, skills and other specifications that were listed by the employer, in the Job Check application, as the minimum requirements for the job. If an applicant is unable to meet this requirement, their AEWV application may be declined.</p> <p>If the job offered is on the Green List, the applicant is suitably qualified if they meet the above OR meet the specific green list requirements.</p>	<p>28.05.2024</p>
<p>If an employee has visa approved but the business is sold and the new employer doesn't have accreditation, how does that impact the AEWV holder?</p>	<p>The migrant will need to apply for a Variation of Conditions/Job Change to work for the new employer, and to do that the employer would have to hold accreditation and a valid Job Check for the role. We understand that is quite restrictive in cases of business sales, especially when there is nothing about the job itself changing. We are currently in discussions with the Minister about this as we understand there is an issue.</p> <p>Just to note, if there is only a simple change in ownership and the NZBN remains the same, the company will likely maintain its accreditation and the AEWV holders can continue working for them.</p>	<p>06.06.2024</p> <p>AEWV webinar question</p>
<p>If someone signed their IEA prior to Feb 28 but did not actually begin work until the first week in March, must they meet the unpaused median wage to accrue points for SMC?</p>	<p>The median wage is not 'paused' for SMC, only for AEWV and AEWV-related visas like partner of worker. The new median wage of NZD\$31.61 an hour will still apply to other visa categories that use it from February 2024, such as the Skilled Migrant Category and Parent Category.</p> <p>Regarding this example, if someone signed an employment agreement before 28 February 2024 but started work in March</p>	<p>06.06.2024</p>

	2024, and they want to claim points for skilled work experience, the relevant median wage would be \$31.61.	
What would be the impacts on employers and employees when the employer emails INZ to notify them of an employee being terminated with more than 1 month left on their visa?	<p>There is no impact on the employer. We take any visa compliance concerns seriously and will investigate if evidence of wrongdoing is provided.</p> <p>All investigations are considered on a case-by-case basis, and an individual's situation, where employers risk losing their accreditation, having their accreditation declined or being prosecuted under the Immigration Act 2009. Individuals could also face deportation.</p> <p>Information is the key and access to the New Zealand Immigration website is where an individual can obtain information if there has been a change in their particular circumstances and contact Immigration New Zealand through our contact centres if they wish to speak to someone.</p>	26.06.2024
What happens to Job Checks that crossover an accreditation period? E.g. accreditation expires in July but job check expires in August? Is the job check still valid?	Job Checks will continue to be valid as long as the Employer Accreditation is valid. If an Accreditation renewal is applied for and Interim Accreditation is granted whilst assessment is underway - Job Checks will remain valid.	26.06.2024