



NEW ZEALAND SERVICES

# Employer GUIDE TO HIRE MIGRANTS

TO SUPPORT YOUR  
BUSINESS GROWTH



For FREE advice on how to hire  
a migrant, please get in touch:

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Immigration can be a daunting process. As a matter of fact, most New Zealand employers believe it is extremely complicated to hire a migrant, where it actually isn't!

Feel free to use this document as a guide or let New Zealand Services assist you all the way, **for free!**

**GET IN TOUCH!**

## ABOUT US

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New Zealand Services is a New Zealand based agency specialised in delivering high quality tailored solutions to customers with a project in New Zealand. Whether it is planning a temporary or permanent move to New Zealand, studies, an investment, a business creation, an internship or a vacation with a Working Holiday Visa, we help our customers by creating a plan suited to their needs. We offer a global approach and experienced, personal support at every step of the way.

Since 2009, immigration advice is strictly regulated. Anyone providing immigration advice must follow a degree course in order to obtain the immigration officer's license. [Philippe and Ariane MENEUT, directors of New Zealand Services, are both accredited by the New Zealand government as Licensed Immigration Advisers.](#)



We know that hiring a migrant may be a stressful and time-consuming process. We also understand that the stakes are high. New Zealand Services provides its clients with clear, updated and realistic immigration advices. In doing so, we will make sure that your process of migration is stress-free, comfortable and successful.

# VISAS TO WORK IN NEW ZEALAND

## EMPLOYER SUPPORTED WORK VISAS

A Work Visa is typically granted based on a specific job, for a set duration. Common types include Work to Residence visas, Essential Skills Work Visa, Recognised Seasonal Employer Limited Visa, Specific Purpose Work Visa, and Post Study Work Visa - Employer Assisted. To remain in New Zealand, the visa holder must apply for a new visa before their current visa expires.

If you are looking to hire a migrant that already has a work visa based on a job offer from another employer, or you are offering a new job to a current employee they will need to inform Immigration New Zealand. Depending on the circumstances, they may apply for a variation of conditions of their visa. However in some situations they may need to apply for a new visa instead.

## RESIDENT VISA

Most resident visa holders can work for any employer. Residence visa holders are able to work for any New Zealand employer. Common types of residence visa include the Skilled Migrant, Investor, Family and Pacific Quota categories.

## WORKING HOLIDAY VISA

Working holiday visas do not require a job offer, meaning they can work in almost any job. The conditions to work for working holidaymakers vary according to the country they come from. Generally, a working holiday visa holder can work full-time for between 3-12 months, however they can't take up permanent employment. While you must not offer a permanent contract, a working holiday visa holder can have several jobs with different employers.

## PARTNERSHIP BASED WORK VISA

Partners of visa holders with work rights, may be eligible to work for the duration of their partner's visa (or for up to two years for partners of resident visa holders or New Zealand citizens).

## STUDENT VISA

Some students are able to work for up to 20 hours a week during the academic year and some may work full-time during breaks. Students studying in some fields are eligible for work visas to enable them to fulfil practical course requirements.

All students who are legally allowed to work in New Zealand will have an endorsement in their passports, or a letter from us stating their entitlement to work and the limitations on such work.

## POST STUDY WORK VISA (OPEN )

Allows former international students to work for any employer for 12 months to give them time to find a job relevant to their qualification.

You can check a specific migrant's conditions using [VisaView](#).

# SUPPORT A CANDIDATE'S APPLICATION

## ⇒ ESSENTIAL SKILLS WORK VISA



### HAVE YOU TRIED TO RECRUIT LOCALLY OR TO TRAIN NEW ZEALANDERS?

This is the first thing INZ will check!

If you haven't made genuine attempts to recruit or train locally, you need to be prepared to explain why, unless:

- the work is in an occupation on one of our [essential skills in demand lists](#) and your candidate has the qualifications and/or work experience listed for that occupation
- you are supporting an applicant who currently works for you and has been invited to apply under the Skilled Migrant Category based on their current employment.

The evidence you provide to show your genuine attempts will depend on whether your position is high or low-skilled.

#### Evidence that you tried to recruit a New Zealander can include:



- details of the advertising including dates, duration and frequency
- copies of the advertisement and receipts for its cost
- any evidence that you used a recruitment agency
- information about the results of any vacancy listings placed with MSD
- details of the results of your recruitment efforts including why any New Zealand applicants were unsuitable, or unable to be readily trained
- relevant industry statistics on the numbers of vacancies in this market.



### PROVIDE A WRITTEN EMPLOYMENT AGREEMENT

We recommend you get in touch with your lawyer to make sure the agreement complies with the minimum requirements. If it doesn't, you could be facing a stand down period from the ability to support a visa application and exposing yourself to increased penalties and claims from employees.

You must provide a written employment agreement as evidence of your job offer, which must include:

- your name and contact details
- your candidate's name and contact details
- your candidate's job title
- the address for your workplace
- how long the work is for
- pay and work conditions that comply with New Zealand employment law
- how long your candidate has to take up your offer
- details of any qualifications or work experience your candidate will need
- the kind of work your candidate will be doing and their responsibilities
- information about whether your candidate will need New Zealand registration.

Your job offer must be for full-time work. The remuneration may impact the duration of the visa and the possibility for the candidate to sponsor their family, if any.



### EMPLOYER SUPPLEMENTARY FORM

You must complete an [Employer Supplementary Form](#), which must include evidence of your genuine attempts to recruit New Zealanders for your position (if this applies). You'll need to give your completed form to your candidate, who will need to include it with their work visa application together with their employment agreement.

Not sure of what to do? [Talk to us!](#)

## ⇒ LONG TERM SKILL SHORTAGE LIST WORK VISA

### 1 PROVIDE A JOB OFFER

They'll need this to support their application to work for you and later, to apply for residence. The employment agreement must:

- be for work in an occupation on the [Long Term Skill Shortage List](#)
- be current at time they apply for a visa
- be for full-time work
- be for 2 years or more
- pay no less than the market rate (and at least NZ \$45,000 if you want them to be eligible to apply for residence later).



### 2 EMPLOYER SUPPLEMENTARY FORM

You must complete an '[Employer Supplementary Form](#)'. You'll need to give your completed form to your candidate, who will need to include it with their work visa application together with their employment agreement.

## ⇒ SKILLED MIGRANT CATEGORY RESIDENT VISA

### 1 PROVIDE A JOB OFFER

You're allowed to offer a job to someone who doesn't have a visa but your offer should be conditional on that person getting a visa.

Immigration uses a points system to decide who they'll invite to apply for residence under the Skilled Migrant Category.

For your candidate to be able to claim points for their job offer, it must be for:

- a skilled occupation
- full-time work (at least 30 hours a week)
- permanent employment for 12 months or more, or on a contract basis, if your candidate can show they have a history of consistent contract work, a current contract for services, and that the work's likely to be ongoing
- an employer who has good workplace practices and complies with immigration, employment and other laws.



**Applicants whose jobs are outside of Auckland, on one of the skill shortage lists or are in an identified growth area are more likely to be successful.**

# Next STEPS

1. Your candidate applies for a visa
2. Wait for a decision to be made
3. Your employee starts working for you

Then, depending on your and your employee's situation:

- ⇒ You may wish to support a second work visa application
- ⇒ Your employee could apply for residence

# OPTIONS FOR REPEATED HIRING

## ⇒ APPLY FOR APPROVAL IN PRINCIPLE

Being approved in principle means you can hire multiple migrant workers without repeating the labour market test. You can employ as many migrants as approved in your approval in principle.

### DURATION OF APPROVAL IN PRINCIPLE:

- ⇒ Typically 6 - 12 months.

### WITH THIS OPTION YOU CAN:

- ⇒ Employ migrants with essential skills for up to 5 years.
- ⇒ Go through a labour market test before you've found a candidate and get pre-approved.
- ⇒ Hire as many workers as you need to fill the number of jobs in your application, or until your approval expires.

One approval in principle can cover different roles, different periods of time and different regions of New Zealand.

### WHAT YOU NEED TO DO:

- ⇒ You must meet the criteria and provide all of the supporting evidence to be granted approval in principle, such as:
  - Business details (certificate of incorporation, GST number, details of any employees currently on a temporary entry class visa, etc.).
  - Ability to sustain employment (statements of financial performance and position).
  - Evidence of your genuine attempts to recruit or train suitable New Zealand citizens or residence class visa holders.

## ⇒ BECOME AN ACCREDITED EMPLOYER

If you need to regularly recruit skilled overseas workers, consider becoming an Accredited Employer.

### DURATION OF ACCREDITATION:

- ⇒ Your initial accreditation will be valid for 2 years.

### WITH THIS OPTION YOU CAN:

- ⇒ Employ overseas workers for an initial period of up to 30 months to work in your core area of business activity.
- ⇒ Support your workers' pathway to residence. Your workers can apply for residence after 24 months of working for you, which if granted would allow them to work and live in New Zealand indefinitely.
- ⇒ Support work visa applications for multiple overseas workers while you're accredited.

While you are accredited you can employ skilled migrant workers without first having to check if any New Zealanders can do the work.

### WHAT YOU NEED TO DO:

- ⇒ Provide evidence that your organisation is in a sound financial position (annual reports, financial statements, business plans covering at least the last 2 years).
- ⇒ Provide evidence that you have good human resource practices (INZ will work with relevant unions to assess if you meet this requirement).
- ⇒ Provide evidence that you have good workplace practices.
- ⇒ Provide evidence of your commitment to training and employing New Zealanders.



# CONTACT

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## GENERAL ENQUIRIES

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