



Decision-ready work visa applications:

A guide for dairy farm employers

There are a number of common mistakes employers make that slow down the processing of work visas.

Almost 50% of Essential Skills visa applications have errors or are missing required information such as medical information, police certificates, employment agreements or the correct legal name of the business. In the dairy sector, employers often struggle with selecting the right ANZSCO code and in ensuring employment agreements meet minimum standards. It's important to get all information correct in applications; otherwise this slows down the process.

INZ is committed to processing visas as fast as practicable but application processing times always depend on the complexity of an application. It is critical that the right level of scrutiny is applied to ensure the right decisions are made for New Zealand.

Are your work visa applications missing any of this critical information?

✓ Employment agreements

Your migrant worker will need a signed offer of employment and a copy of the proposed employment agreement to apply for some of the most common visas. Here's what employers most often miss:

- › Correct legal name of the employer.
- › Name and address of the employee
- › Hours of work
- › The rate of pay (hourly or annual salary)
- › Whether the role is fixed term or permanent. If fixed term, you need to provide a genuine business reason why.
- › Where the employer is a partnership, specify the members of the partnership so INZ can determine who the legal employer is.

MBIE provides a free employment Agreement builder: <https://eab.business.govt.nz/employmentagreementbuilder>

✓ Rate of pay and hours of work

Ensure that the maximum number of hours that may be worked are within the minimum wage, or specify that additional hours in excess of xx number per week to be paid at \$xx rate (at least minimum wage). Please refer to the information from the Labour Inspectorate which outlines how benefits and accommodation should be dealt with: <https://www.employment.govt.nz/hours-and-wages/pay/minimum-wage/agricultural-industry/>

It is a legal requirement that:

- › Employees must be paid at least the minimum wage for each hour worked
- › Wages can't be averaged over a season
- › Employees must be paid wages in money and can't be paid through other non-cash benefits except deductions from their wages which are agreed and signed in writing by the employee.
- › The nature of any accommodation benefits/arrangements are clearly identified as a non-cash benefit, allowance, or a deduction from pay.

✓ Complete job descriptions

Just like employment agreements, missing information from job descriptions can needlessly slow down the visa process. Information commonly missed by employers include:

- › Job title
- › Location of employment
- › Tasks and responsibilities
- › Skills, qualifications and experience required

✓ The correct ANZSCO code

Selecting the wrong ANZSCO (Australia and New Zealand Standard Classification of Occupations) code is the most common mistake in applications. The right code is more about duties, pay and level of responsibility than job title. If the employee will be a “doer” rather than a “decider”, a lower level ANZSCO code is likely to be more appropriate.

You might think jobs with a higher level ANZSCO code are prioritised for processing but this is not correct. The wrong code will slow down processing. The only two available ANZSCO codes for on-farm employees in the dairy industry are:

✓ Dairy Cattle Farmer/ Farm Manager

ANZSCO level 1 (ANZSCO NO 121313). Plans, organises, controls, coordinates and performs farming operations to breed and raise dairy cattle for milk, meat and breeding stock.

This role has a skill level commensurate with a bachelor degree or higher qualification. At least five years relevant experience may substitute the formal qualification.

Note: Dairy Cattle Farmer is on the regional skill shortage list for all regions in New Zealand. Please refer to the specific requirements included on the skills shortage list.

<https://skillshortages.immigration.govt.nz/dairy-cattle-farmer>

✓ Assistant Farm Manager

The occupation of Assistant Farm Manager is intended to be a mid-level role between ANZSCO skill levels 1 and 5. However, occupations in the dairy industry are listed as either skill level 1 (121313 Dairy Cattle Farmer) or skill level 5 (841512 Dairy Cattle Farm Worker), and Assistant Farm Manager has no ANZSCO equivalent.

INZ will treat Essential Skills work visa applicants as meeting the criteria for a Dairy Cattle Farmer (Assistant Farm Manager (121313) in the ANZSCO and on the regional skills shortage list as long as the applicant meets the requirements outlined on the regional skills shortage list and the specific advice for Assistant Farm Managers.

<https://skillshortages.immigration.govt.nz/dairy-cattle-farmer>

<https://www.immigration.govt.nz/documents/visa-paks/28-september-2018-2014-assistant-farm-managers.pdf>

✓ Dairy Cattle Farm Worker

ANZSCO Level 5 (ANZSCO NO 841512). Performs routine tasks on a dairy farm such as herding and milking cattle. This requires compulsory secondary education or NZ register Level 1 qualification (ANZSCO Skill Level 5).

Evidence of attempts to hire a New Zealander: For Dairy Cattle Farmer and Assistant Farm Managers

Check if the candidate meets the qualification and experience requirements specified on the skills shortage list.

Check if the candidate meets the requirements for Assistant Farm Managers, including being paid a salary of at least \$60,000, and the tasks as outlined on the [INZ website](#). If the candidate meets the requirements as outlined the employer does not need to provide evidence of attempts to hire a New Zealander.

<https://www.immigration.govt.nz/documents/visa-paks/28-september-2018-2014-assistant-farm-managers.pdf>

If the candidate does not meet the requirements for a Dairy Cattle Farmer or Assistant Farm Manager, the ANZSCO code for farm worker should be used and a skills match report and evidence of advertising provided. The employer must show that they advertised and considered any New Zealanders who applied for the role.

Evidence of attempts to hire a New Zealander: For Dairy Cattle Farm worker

A Skills Match Report

You'll need to have advertised the vacancy with Work and Income and considered candidates referred to you. If they are unable to find suitable candidates, you can ask them for a Skills Match Report to show there are no suitable New Zealanders available to do the job. Details of the Skills Match process can be found on the Ministry of Social Development website: <https://www.workandincome.govt.nz/employers/help-with-recruitment/hiring-someone-from-overseas>

Advertising

In addition to advertising with Work and Income, you need to show that you have advertised and considered any candidates who applied for the job. This may include advertising on websites such as Seek, TradeMe and Farm Source. Further information about advertising is available on the Immigration New Zealand website. <https://www.immigration.govt.nz/employ-migrants/explore-your-options/your-responsibilities-obligationobligations/attempts-to-recruit-nzrs>

More information for employers

www.immigration.govt.nz/employ-migrants

When recruiting workers from the Philippines: <https://www.immigration.govt.nz/employ-migrants/guides/are-you-recruiting-migrant-workers-from-the-philippines-a-guide-for-employers.pdf>

Disclaimer: This document is current at 01 September 2019 and is subject to change