



# Decision-ready work visa applications:

## A guide for forestry and silviculture employers

There are a number of common mistakes employers make that slow down processing 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 particular, employers in the forestry and silviculture sector often struggle with demonstrating the base hourly rates they are offering to workers, and showing appropriate payments for transportation to work sites.

It's important to get all information correct in applications, otherwise this slows down the process.

Immigration New Zealand (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.

Please note that for employers who are recruiting multiple workers, the **Approval In Principle (AIP) process** could be the most suitable form of application. Being approved in principle means you can hire as many migrant workers as you need with one labour market test, rather than multiple labour market tests.

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

#### ✔ Employment agreements with all the right details

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 business
- › Name and address of the worker
- › 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.

MBIE provides a free employment Agreement builder: [eab.business.govt.nz/employmentagreementbuilder](http://eab.business.govt.nz/employmentagreementbuilder)

#### ✔ Role guarantees a minimum of 30 hours a week

To qualify for a work visa such as the Essential Skills, your migrant worker will need to be working at least 30 hours a week, and your employment agreement needs to specify this. If the hours of work fluctuate – because of factors like weather, for example – the employee will still need to be paid for at least 30 hours a week.

#### ✔ Role pays correctly

You will need to ensure that you are paying your worker correctly in line with immigration and employment law. For the purposes of supporting a work visa, you need to offer your migrant worker a base hourly rate or salary. INZ will not accept box rates, unless you are guaranteeing in the employment agreement to top up the hourly wage up to either minimum wage or market rate (depending on the occupation).

Another common issue INZ also comes across is a lack of confirmation around how workers will be transported between the sites they are working for, and how they will be paid when doing so.

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## ✓ Evidence that you are a financially sustainable business

INZ will only grant visas for overseas workers if it is clear that the business is financially sustainable. To assist INZ with its assessment, you should ensure that you have sufficient documentation ready to prove this in advance. This includes providing recent financial statements, projected statements for the new financial year, and evidence of forward facing contracts so that we can see the basis of the income you are projecting.

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## ✓ 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
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## ✓ Evidence of attempts to hire a New Zealander

If the person you want to hire is applying for an Essential Skills work visa and doesn't meet the criteria of one of our Skill Shortage Lists, you will need to show that you tried - and failed - to find a New Zealander to fill the role.

On top of this, it will also be helpful if you provide information on how you selected staff from overseas markets and how you verified the skills of those candidates.

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## ✓ The correct ANZSCO code

Selecting the wrong ANZSCO (Australia and New Zealand Standard Classification of Occupations) code is the most common mistake in forestry and silviculture applications. The right code is more about duties, pay and level of responsibility than job title.

For example, there are two ANZSCO codes frequently used in these sectors. These are forestry worker (ANZSCO 841311) which means that the applicant must either hold a New Zealand Level 2 or 3 qualification (or equivalent) or have at least one year of relevant and verifiable work experience.

The other ANZSCO occupation that is often used is bush regenerator (ANZSCO 841999). All that is required for this occupation is a New Zealand Level 1 qualification (or equivalent) or compulsory secondary school education.

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## ✓ A Skills Match Report

As well as an ANZSCO code, each occupation also has an ANZSCO skill level between 1 and 5. If the Essential Skills work visa role is skill level 4 or 5, you'll need to have advertised the vacancy with Work and Income. 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.

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**More information for employers**

[www.immigration.govt.nz/employ-migrants](http://www.immigration.govt.nz/employ-migrants)

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