



CHANGES TO THE ACCREDITED EMPLOYER WORK VISA AND SUPPORT FOR EXPLOITED MIGRANTS

Accredited Employer Work Visa (AEWV) changes

New median wage to apply from February 2024

Several work and skilled residence visa categories have wage thresholds or criteria that are based on the median wage. Currently the New Zealand median wage is NZD **\$29.66** per hour.

The new median wage of NZD **\$31.61** an hour will be adopted into the immigration system in February 2024. Parent category wage thresholds are updated separately, and the tourism and hospitality wage threshold will also be updated separately in April 2024. Immigration New Zealand (INZ) will provide more information on what this means for employers, and specific dates, nearer the time of the changes.

Accredited employers will no longer be able to use 90-day trial periods

The Government is requiring employers to commit to not using trial periods when hiring people on an AEWV.

This is to encourage accredited employers to:

- treat migrant workers fairly, and
- only recruit someone when they have a genuine labour need or skills gap to fill.

Changes to the AEWV process for employers

From late October there will be a new Job Check requirement meaning that applications must not include an employment agreement with a trial period. A Job Check under assessment will be declined if it includes a trial period (**regardless of the submission date**), or INZ may request updated information. Breaches of this standard could lead to loss of accreditation.

The 90-day trial rule will not apply to:

- already-approved Job Checks, or
- migrants who already hold, or have applied for, an AEWV.

Accredited employers who are '[triangular employers](#)'

Changes have also also announced for triangular employers who employ migrants to work at other businesses' premises:

- Triangular employers will have to prove their financial viability when applying for, or renewing, their Accredited Employer accreditation
- Triangular employers recruiting migrants for construction site work will need to have at least 35% of their workforce made up of New Zealanders, an increase from the current 15%
- This New Zealand workforce threshold will now be assessed at both the accreditation and Job Check stages

More information on when these accredited employer changes come into effect will be made available by INZ soon.

Protection and support for migrant workers

The Government has announced changes to the immigration system to increase protection and support for migrant workers, including:

- short-term basic financial support and job search assistance for people on the Migrant Exploitation Protection Work Visa (MEPV)
- an option for people on the MEPV to apply for a second MEPV if they need more time to search for a job, and
- removal of the 90-day trial for migrant workers on the Accredited Employer Work Visas (AEWV)

Financial support for Migrant Exploitation Protection Work Visa (MEPV) holders

Financial support is being made available until **March 2024** for people on the Migrant Exploitation Protection Work Visa (MEPV) to help pay for accommodation and living expenses for a limited time while they search for a job that allows them to stay in New Zealand.

Only migrants on the MEPV will be eligible, to make sure that the financial support goes to migrants who have been exploited.

Accommodation and living costs are benchmarked on the Jobseeker Support Benefit entitlement (approximately \$50 per person a day), which could be topped up to \$100 per person per day dependent on need. INZ are finalising details of the financial support and how MEPV holders can apply and will provide details on the application process and criteria in the coming weeks.

The financial support is available to people on MEPVs who are not currently in employment. The payment will continue until they either:

- find work while on their MEPV
- reach expiry of their MEPV
- find work on a different visa such as the Accredited Employer Work Visa (AEWV)
- leave New Zealand

MEPV holders can now apply for a second MEPV

As part of the support announced for MEPV holders, migrants will be able to apply for a second MEPV, giving them more time to search for and secure a job. The second visa will be valid for an additional six months or until the expiry of the original work visa held, whichever is the lesser.

Migrants applying for a second MEPV will have to:

- meet all of the visa requirements, and
- demonstrate that they made reasonable efforts to find a job that would qualify them for an AEWV

There is no need for migrants to make a second exploitation report to Employment New Zealand to secure a second MEPV. The Ministry of Business, Innovation and Employment (MBIE) will check to make sure the claim remains genuine, based on information they already hold. It is possible to transition to another category of visa while holding a MEPV.

Officials are working through the details of how and when this change will be implemented, and further details will be announced in due course.

If you have any questions, please either email your current New Era adviser or email us through enquiries@neweraconsulting.co.nz.