



## IMMIGRATION TO NEW ZEALAND APPLYING FOR EMPLOYER ACCREDITATION

### OVERVIEW AND BENEFITS

An employer holding Employer Accreditation status is able to support a potential employee to apply for a 30-month Talent (Accredited Employer) Work Visa. Once a Talent Visa has been held by an employee for at least 24 months, provided certain other criteria are also met, the employee can apply for Residence.

The Talent Visa provides an additional Work Visa option for a potential employee. This may be useful if an Essential Skills Work Visa is not possible - for example, where an employer cannot successfully demonstrate there are no New Zealand citizens or residents available to fill a position they are offering.

Employer Accreditation can also be a strategic option for an employer, looking for a pathway to Residence for staff who might otherwise not be able to apply for Residence. For example, some employees may not meet the criteria for Residence under the Skilled Migrant category, the main Residence category through which most migrants apply.

An application for Employer Accreditation is made online. If granted, Employer Accreditation will be granted initially for 2 years. An employer can apply to renew their accreditation status for further 2-year periods, or for 5 years where Immigration New Zealand ("INZ") is satisfied that the requirements for Employer Accreditation will continue to be met for 5 years.

This Guide focusses on the process of applying for Employer Accreditation. See our [Talent Visa Guide](#) which describes the process of applying for the Talent Work Visa itself.

### APPLICATION REQUIREMENTS

The employer must show that:

- ◇ they need to recruit migrant workers whose talents are required by the employer; and
- ◇ they will have direct responsibility for those employees and their work output.

The employment on offer must be:

1. in the employer's core area of business;
2. for a period of at least 24 months;
3. for a minimum base salary of \$55,000, provided that:
  - a. this sum excludes employment-related allowances (e.g., overtime or accommodation);

- b. Where an employee is to work more than 40 hours per week, the minimum base salary will be calculated on that proportion of the salary that equates to 40 hours' work per week.

To be granted Employer Accreditation, INZ must be satisfied that an employer:

1. is in a sound financial position – involves looking at:
  - a. length of operation of the company;
  - b. financial statements;
  - c. ability to sustain employment in the future.
2. has high-quality human resource policies and processes – INZ will review:
  - a. the content of standard employment agreements;
  - b. HR, Health & Safety, dispute resolution policies;
  - c. history of negative Labour Inspectorate findings;
3. is committed to training and employing New Zealand Citizens or Residents:
  - a. the number of local people already employed;
  - b. evidence of training local workers;
  - c. the extent and nature of past advertising;
  - d. engagement with Industry Training Organisations and unions.
4. has good workplace practices and history of legal compliance, including:
  - a. breaches of labour and immigration legislation and policy;
  - b. policies and processes to ensure compliance;
  - c. feedback from relevant unions and other employee representatives.

INZ may carry out an interview with an employer or a site visit of the employer's premises, as part of its assessment.

An employer considering accreditation must be prepared to provide a considerable amount of documentary material to address the above criteria. We strongly recommend that such material is gathered and provided thoroughly at the outset. First of all, this will avoid delays caused by INZ asking for additional materials during the process. Secondly, a declined Accreditation application could make it significantly harder for an employer to obtain that status in the future.

## **OUR SERVICE**

As your professional immigration advisers, our role is to ensure that all criteria are met and that all documentation provided in support of your application is in the form required by INZ, and that it assists your application and does not create confusion or difficulty.

We keep in contact with INZ to ensure that each application is processed promptly and in a manner that is "fair and in accord with natural justice".