



RSE Border Exception Undertaking

Undertaking in regards to the employment, work and care of RSE workers applying to travel to New Zealand as an exception to border restrictions

The commitments in this undertaking are given to Immigration New Zealand (INZ) (a business unit of the Ministry of Business, Innovation and Employment, the responsible department for the administration of the Immigration Act 2009) by

(a Recognised Seasonal Employer (RSE) under the Recognised Seasonal Employer immigration instructions, as published in the *Immigration New Zealand Operational Manual*) (the employer).

This undertaking is given on the date that it is provided to INZ.

The information provided in this document is for the purpose of an undertaking given to INZ, establishing commitments that the employer promises to meet, as part of the criteria for granting visas to offshore workers who will travel to New Zealand under the approved class of worker border exception for RSE workers (refer immigration instruction H5.30.20).

Information provided by the employer will be managed within the requirements of the Privacy Act 2020 (where personal information), the Official Information Act 1982 and the Public Records Act 2005. This undertaking (and verification of meeting the commitments within) will be relevant to the employer's future status as a RSE.

Details of the person/persons/entity giving the undertaking

Person(s) giving the undertaking on behalf of the employer:

Nominated person (point of contact for INZ communications):

Phone number and email address for INZ communication:

Commitments given

The employer acknowledges and agrees that they will abide by the following terms:

- 1) To make all reasonable efforts to ensure all RSE workers (currently onshore and those arriving as an exception to border restrictions) will be fully employed until they repatriate;

In respect of all RSE workers who come to New Zealand as an exception to border restrictions (border exception RSE workers):

- 3) Where necessary, make arrangements to share RSE workers with another RSE employer with a higher critical workforce need (in addition to standard immigration requirements);
- 4) To pay RSE workers no less than \$22.10 per hour, if the RSE worker arrived as a border exception before April 2021. If the RSE worker arrived in New Zealand after June 2021, the employer must commit to pay all RSE workers at least \$22.10 per hour (this includes RSE workers covered by the border exception and those already in New Zealand when they are offered a new contract);
- 5) To cover the cost of managed isolation and quarantine (MIQ) in Government facilities for RSE workers and that they will not charge this cost to RSE workers, either directly or indirectly;
- 6) To pay RSE workers for 30 hours per week while they are in MIQ;

- 7) To not deduct RSE workers' wages for flights between Pacific countries and New Zealand for more than they would in a 'normal' year, other than an increase already approved under RSE immigration instructions;
- 8) To not increase deductions for RSE workers for living costs beyond last season's deductions, other than an increase already approved under RSE immigration instructions.

Acknowledgements

The employer acknowledges that:

- they may be required to provide information (including documents) to INZ to demonstrate that they have met the commitments above and/or have otherwise complied with their obligations in this undertaking.
- failure to meet the commitments given, or to provide information (including documents) to demonstrate they have met their commitments, may negatively impact future applications by the employer to obtain or renew RSE accreditation or Agreement to Recruit under the RSE Scheme or result in the employers RSE status being rescinded.

The undersigned declares that they have the full authority of the employer to make this undertaking.

SIGNED for and on behalf of the employer,

[name]

[role]

Date

For INZ records only (completed by INZ)

Date provided to INZ