

VISA PAK ISSUE 385 — 18 JANUARY 2019

ASSESSING SALARY UNDER WR1 TALENT (ACCREDITED EMPLOYERS) WORK VISA INSTRUCTIONS

Please note the following when calculating an applicant's base salary under instruction *WR1.10.f Requirements for offers of employment*.

Hours of work clauses in employment agreements, such as the following example, do comply with New Zealand employment law.

You may be required to work additional hours as reasonably required in order to meet the obligations of your employment. The remuneration outlined in your letter of offer and under this agreement constitutes full consideration of all hours required to be worked. No overtime will be payable unless specifically agreed in these documents

A clause such as this will not affect the calculation of whether or not someone is being paid at or above the remuneration threshold at WR1.10.f. This type of clause is quite common in Employment Agreements and is intended to cover non-standard situations where an employee, for example, is required to stay at work a little longer to complete a particular task.

It is not intended to cover situations where an employee may be routinely required to work over 40 hours per week. If an employee is required to routinely work over 40 hours per week this would need to be taken into account when calculating the base salary.