

VISA PAK ISSUE 475 — 19 JULY 2021

## CHANGES TO ESSENTIAL SKILLS WORK VISA INSTRUCTIONS FROM 19 JULY 2021

From Monday 19 July, a number of changes come into effect for Essential Skills Work Visa (ESWV) instructions. The changes to the ESWV settings provide more certainty to employers and visa holders while our border restrictions are in place. The amended instructions apply to applications already on hand at Monday 19 July as well as subsequent applications.

These changes include:

- Extending the maximum duration of an ESWV for a job paid below the median wage from 12 to 24 months
- Removing the requirement for the labour market test to be met where the applicant is working full-time (30 hours per week) and are applying for a further visa to work in the same role, for the same employer and in the same region on a full-time basis
- Removing the requirement for applicants to provide medical and police certificates if this information has previously been supplied to INZ.

### Application process simplified for applicants remaining in their current employment

From 19 July 2021, applicants should apply using a new paper-based form on the INZ website. From 30 August 2021, an online form will be available.

The application process is also simplified – refer to immigration instruction WK1.5.10:

- The employer does not need to provide evidence of genuine attempts to recruit New Zealanders as there is no requirement to meet the labour market test requirements
- Applicants do not need to include an employment agreement with their application or provide evidence that they are suitably qualified for the job they currently occupy
- Applicants do not need to provide medical and police certificates if these were supplied with a previous visa application
- Applies to applicants who, at the time of application hold:
  - A work visa (this includes open work visas such as Working Holiday visas and partnership based visas)
  - A student visa with conditions allowing unlimited work rights (see U13.15.15)
  - Critical Purpose visa holders granted as a critical health worker, or granted for more than six months as an Other Critical Worker (OCW) (including other critical workers who are part of a class exception).
- A new client contact has been created – please add Essential Skills – Current Employment to the contact tab under *Contact (Other)*

### Removal of the Labour Market Test (LMT) also applies to applications on hand (lodged 18 July 2021 or earlier)

- Normal assessment of medical and police certificates.
- Information related to the LMT does not need to be considered

- If you have already PPI'd on the LMT not being met, you can contact the client/their adviser and let them know this no longer needs to be responded to.
- Face value assessment of information related to job offer and the applicant being suitably qualified.

**Application process for applicants with new job offers from 19 July 2021**

- Normal application process applies with the following changes:
  - Maximum duration for a job paid below the median wage is 24 months.
  - Medical and police certificates do not need to be provided if these have been supplied with a previous application.

**Deferral of the stand down-period**

Applicant who are paid below the median wage and therefore eligible for a 24 months visa, will be eligible for the full duration if their application is made before or on 30 June 2022 – the stand-down will not apply until the end of that visa.

*The following updates will also come into effect on 19 July 2021.*

**Median wage increase**

The median wage will increase from \$25.50 per hour to \$27.00 per hour from 19 July 2021. The new median wage (\$27.00) will apply to applications that are made from 19 July 2021. Any applications made on 18 July 2021 or earlier will be assessed under the previous median wage threshold (\$25.50).

<b>Application made on 18 July 2021 or earlier</b>	<b>Duration</b>
Less than \$25.50 per hour	2 years
\$25.50 and above per hour	3 years

<b>Application made on 19 July 2021 onwards</b>	<b>Duration</b>
Less than \$27.00 per hour	2 years
\$27.00 and above per hour	3 years

**Updated Skills Match Report**

The Ministry of Social Development (MSD) is changing its process for testing the labour market to more effectively prioritise New Zealand jobseekers. The updated Skills Match Report will be available from 19 July 2021.