

VISA PAK ISSUE 256 — 29 APRIL 2016

## **RECOGNISED SEASONAL EMPLOYER SCHEME – ADVICE ON ‘NURSERY PERSON’ POSITIONS**

This advice is to provide clarification on the position of ‘Nursery Person’ and whether this position would fall under WK2.5.5b.

### **WK2.5.5 Determining an Essential Skills work visa application**

**b.** Applications for visas under Essential Skills Instructions related to planting, maintaining, harvesting or packing crops in the horticulture or viticulture industries must be declined.

Note: Applications for work visas to plant, maintain, harvest or pack crops in the horticulture or viticulture industries must be made under the Recognised Seasonal Employer (RSE) Instructions (see WH1) or the Supplementary Seasonal Employment Instructions (see WH3).

Recognised Seasonal Employer (RSE) allows for 9500 people to come to New Zealand each year for the purposes of work in the horticulture and viticulture industry. As such, work visas under Essential Skills (WK) should not be issued for eligible positions. The eligible positions under RSE are for planting, maintaining, harvesting and packing crops in the horticulture or viticulture industries. There is no set occupation under ANZSCO; however, for a general view of what most RSE workers undertake, the appropriate ANZSCO would be a Crop Farm Worker (Unit Group 8412).

A Nurseryperson propagates and cultivates trees, shrubs, and ornamental and flowering plants in a plant nursery. A plant nursery is a place where plants are propagated and then transplanted later. A plant nursery is different from an orchard, vineyard, market garden or glasshouse.

Tasks under Unit Group 8412 Crop Farm Worker include:

- planting trees, seeds, seedlings, roots, bulbs, vines and other plants using hand tools and farm machines
- building trellises for climbing vegetables and vines
- operating farm machines to cultivate, fertilise, spray and harvest fruit, nuts, grains and vegetables
- spraying trees, vines and other plants with chemicals to control weed growth, insects, fungus growth and diseases
- thinning, weeding and hoeing row crops, and pruning trees and vines
- irrigating land for crop growth
- selecting and picking fruit, nuts, grains, vegetables and mushrooms according to size and ripeness, and discarding rotting and over-ripened produce
- grading, sorting, bunching and packing produce into containers
- loading filled fruit, nut, grain and vegetable containers onto trucks.
- Tasks under Unit Group 3624 Nurserypersons include:
  - preparing potting media and containers before planting
  - selecting seeds, bulbs and cuttings, and planting them in beds, lawn areas and tubs
  - budding and grafting vegetative material onto root stock
  - watering plants manually and controlling automatic watering operations
  - applying pesticides to control pests, diseases, weeds and nutritional and environmental plant disorders
  - keeping records of soil mixtures, plantings, treatments, losses and yields



- selecting plants and packaging them for presentation and delivery
- advising customers on plant care and appropriate plants for local conditions
- may plan sales area layouts and visual merchandise presentation.

While there may be some similarities between Nurseryperson and Crop Farm Worker, the tasks for the role of a Nurseryperson are more specialised and relate to tasks undertaken in a nursery. These are not considered to come under RSE and therefore WK2.5.5b would not apply. The tasks under Nurserypersons also generally refer to individual plants or a selection of plants or seeds being propagated versus a crop or field being planted or maintained.

When processing any visa application for a Nurseryperson it is recommended to carefully check the job description to ensure the applicant isn't a Crop Farm Worker under the job title of Nurseryperson. We would also expect the pay rate and qualification/work experience held by someone claiming to be a Nurseryperson to reflect the increased specialisation and skill level required.

Positions which may fall under WK2.5.5b also include:

- Market Gardener
- Glasshouse Worker
- Orchard Worker
- Vineyard Worker

For Market Gardener and Glasshouse Worker we recommend checking the job description to see if these positions include more specialised tasks other than planting, maintaining, harvesting and packing crops. If the majority of the role includes specialised tasks then these positions may be considered under Essentials Skills.