

Accredited employer work visa review

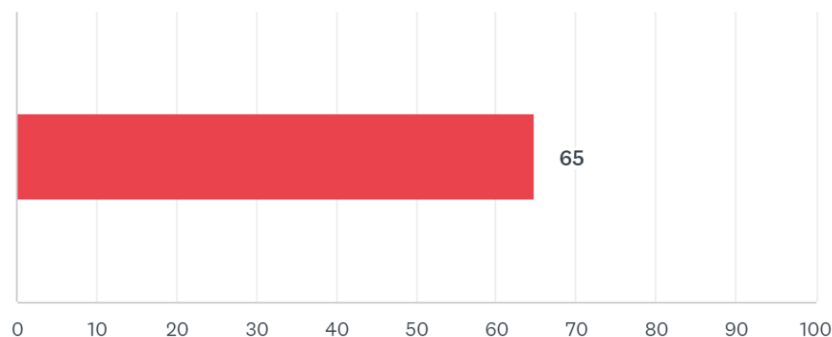
NATIONWIDE

OCTOBER 2024

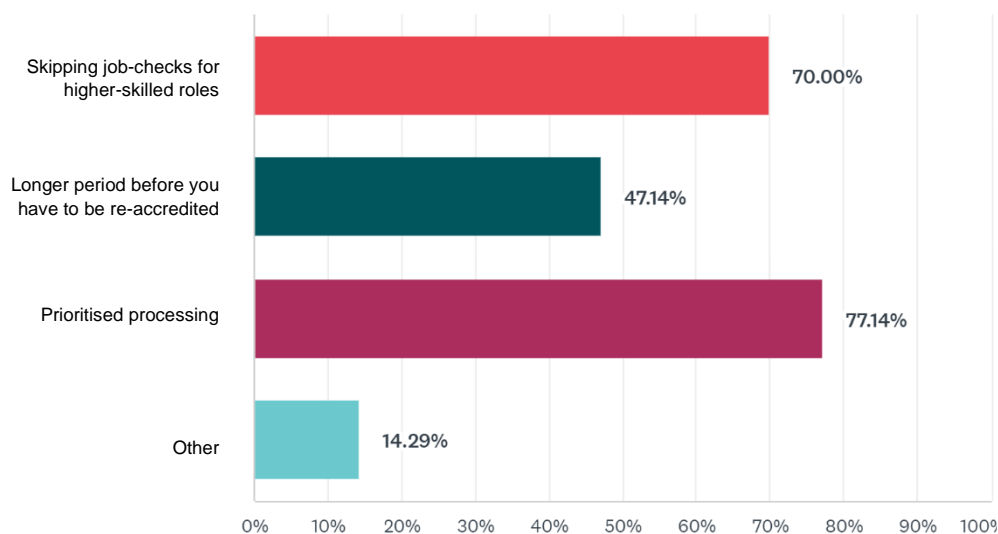
www.restaurantnz.co.nz

Q.1. What percentage of your workforce currently are New Zealand citizens or residents?

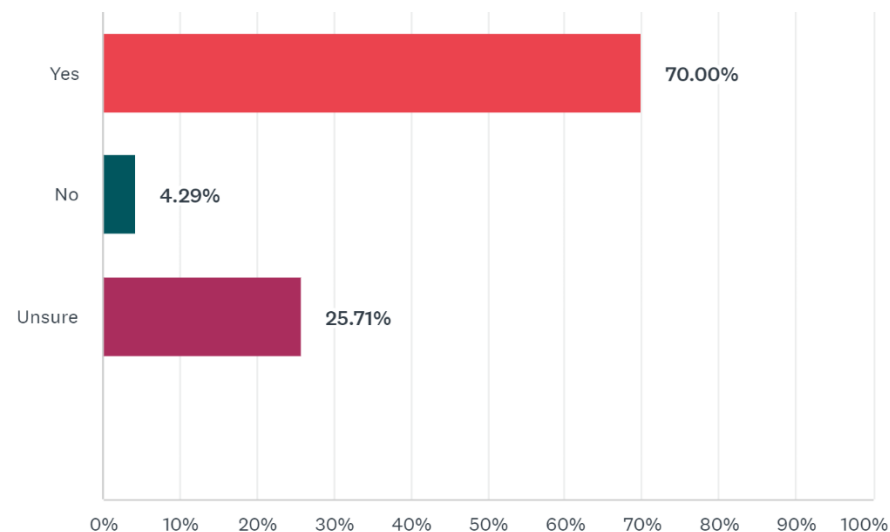
Average = 65%



Q.2. What would you think would be of most benefit to you if you were able to be 'high trust' or in a 'high



Q.3. Would you be more likely to become accredited under a programme like HospoCred if this came with the incentives you have identified (in Q2)?



Q.4. How would you recommend the Government assess market rates? Would you support using the Restaurant Association's annual remuneration survey to do so?

The RA remuneration survey was overwhelmingly supported by respondents as a tool to assess market rates. Other recommendations include:

Market rates can be regional. We believe the minimum wage plus 10% is preferable.
Market rates are too subjective and unlikely to adequately recognise regional, training, experience and seniority differences. Keep it simple - use an uplifted minimum wage formula.

The Government would have to take into account regions and difference in those pays.
Minimum wage being the threshold. Over minimum would be dependent on qualifications.

Whichever is higher of the minimum wage +10% or the market rate.
Uncertain about using remuneration survey as it's not verified information, but wouldn't really have an issue if this happened.

No wage threshold

They should work with IRD to establish a pay rate based on reporting from the hospitality industry. Additionally, each industry in NZ should have their own minimum wage rate. One size does not fit all.

I'd recommend no wage threshold. It is unfair to local employees to be paid less than someone that has a Work Visa just because of the wage threshold. It is also a high salary for employers to pay, in the current market conditions. When you have a business that relies on overseas employees, these costs can make the operations unfeasible.

I would support the RA annual remuneration survey

Yes.

The government should stay out of assessing market rates. It is too open to political interference and self reported surveys are not a reasonable mechanism for deriving this kind of data. Either use IRD payroll information for migrant workers or just set the rate based on a defined figure (eg minimum wage)

It should be just the market rate - if you don't pay enough you won't get the workers.

Q.5. What reasons would you typically decline a jobseeker? Please list as many as possible to assist with the creation of an objective list.

Most common reasons listed:

Not qualified, or no current work visa or being unable to legally work straight away.

Lack of training and poor skillset.

Lack of motivation or commitment.

Jobseeker's mobility.

If they do not have the skills to do the job.

Do not have the right experience.

Reference check does not match the CV.

Do not respond to interview meetings, or late for interview or bad presentation at interview.

Fluency in English.

Not a genuine applicant. Some only turn up for interview to maintain their benefit.

Failing reference checks for honesty & reliability.

CVs that show they cannot hold a job. Changing jobs in a very short time.

Did not fit team culture.

No contactable references.

Unwillingness to work weekends and evenings.

Lack of formal training.

Unrealistic wage/salary expectations.

Personal attitudes and cleanliness/presentation.

Managers from other industries, may not have the necessary "hospo" management experience.

Struggle with shift work.

Attitude. Interest. Informed. Literacy. Communication. Poor presentation.

Only able to work for a short period of time.

Q.6. What are the main pain points or issues within the Job Check?

The key issues repeatedly raised were the timeframe for processing and the cost.

Summary of key concerns:

It is a one size fits all approach and not based on what is practical to every business.

How long job checks take. The advertising process, have to prove there are no NZ'ers to do the job.

Processing time is too long.

Cost is too high.

The term of the Job token is too short.

Most hospo is level 4 or 5 - I think it is more skilled than that.

We need to replace staff within the few weeks that departing staff are serving out their notice period.

Its a broken system - I recently received tokens for Otago CDP's - I had emailed and requested to increase the number of tokens from 5 to 10 (we have 4 restaurants) - I received a call from INZ and was told I could only request tokens for positions that were 'currently' available. The job ad I had checked was placed 3.5 months earlier. This was pre winter in Queenstown. Our requirements for staff change at a much faster rate than INZ's processing times. There were no applicants from the job ad still available.

Having to advertise for 30 days when realistically any good candidates apply within the first 10 days.

The time-consuming, difficulty finding candidates willing to work in a remote location, restrictions that limit hiring flexibility during peak season when staffing needs fluctuate and the additional burden of compliance checks that prolong the hiring process, making it harder to fill urgent positions.

Immigration NZ have a lack of care and understanding of the challenges hospitality face in recruiting skilled labour. They believe all roles in hospitality are low skilled. They have no interest in the flow on affect of not being able to recruit skilled labour i.e. chefs and the flow on affect that often means reducing hours which affect 90% of the employees having reduced hours. They are a law to themselves and answerable only to themselves.

Wages may be higher than other comparable staff.

Information available is not always clear, internal formation is concealed from employers.

Lack of consistency (some are approved, others not, some approved quickly, others take an eternity).

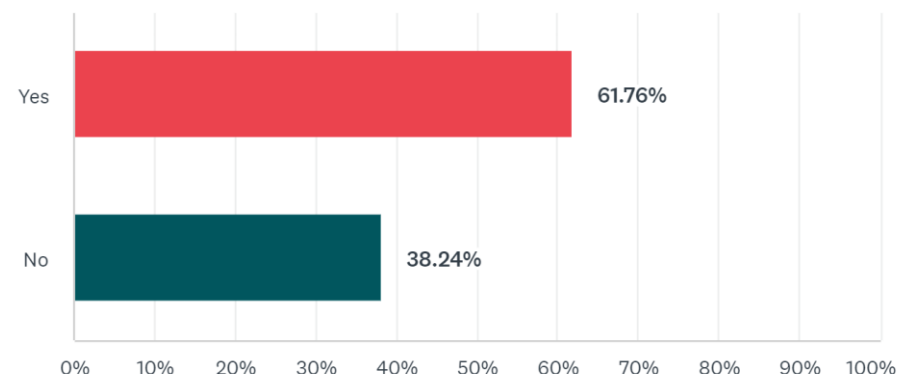
Main issue is that the wage threshold does not match hospitality wage rates (too high for majority of roles).

Rules seem to change all the time.

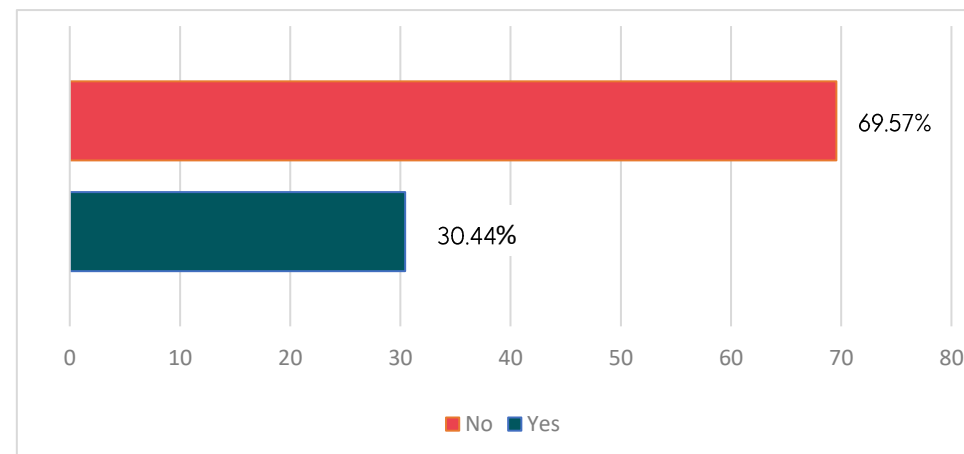
Engaging with MSD for higher skilled jobs - unlikely we will find a candidate and delays the process even more.

If there is a mistake within the job check not matching exactly the advert... why can't the job check application be amended to match? No reason why not.

Q.7. Has the skill threshold impacted your ability to hire migrant workers?



Q.8. Has the English language requirement impacted your ability to hire migrant workers?



selected final comments:

Some info on what is acceptable and not acceptable for INZ visits and interviews would be helpful. There should be some information provided of how INZ is testing the accredited employers and what they are doing about people that are abusing the system.

[The process] costs too much and has too many steps for a SME to hire migrants. Businesses are already facing a tough economy and need to absorb all these costs.

1. Would it be possible to cut down the price for re-accreditation, or the length of renewal should be longer, such as 3 years? 2. The process of Work and Income is too long. 3. The speed of Immigration in each process should be shorter. 4. Would it be possible to consider the cost for the employer? 5. Referring to no. 4, if some staff quit within a 3 month period, would it be possible to reuse that job token?

If people are in NZ already and working in poor conditions, they should be able to transfer to a 1-year visa. This would encourage those that sponsored them to treat them well or know that they can safely leave and get a chance to stay in NZ.

The timeframes listed are so far from reality - how are you supposed to plan for your business - particularly as hospitality needs the right number of humans to do the job. When we are waiting for Visas it stresses out the whole team and the owners trying to cover. This has contributed to mental health issues in our experience.

Previously the VOC meant it was simple to transfer to another establishment. With the AEWV the candidate now has to apply for a complete new visa to change jobs. If the new employer is accredited, the job is the same or higher and the pay rate is the same or higher the candidate should be able to change jobs without going through the process again.

The current process is very problematic and the requirements mean it is almost impossible to use. There is a severe shortage of chefs, yet the process to secure a visa for an overseas candidate is very tricky to navigate.

Immigration NZ is providing lots of protection for the employees, shouldn't they do the same for the employers as well? We fully acknowledge there are not good employers but there are good employers as well. In our case, we are a small business in a small town, tourist area, staffing issues are nightmares on top of accommodation.

I let our accreditation lapse and won't look to reinstate it as it took me four months - an ad placed, then MSD check - then job check - then declined on an assumption - so paid for reconsideration - long wait then declined again even after given all needed evidence - sent a complaint to council as well as immigration- got an apology and then told they would get an independent assessor to view it again. Still haven't heard back. It's a money grabbing waste of time!

Very few Visa holders coming through to apply for work in Taranaki. Incentives for Visa holders could be put in place to attract them to smaller centres.

I have two businesses due to open on 13th December and opening is now delayed until January because of the AEWV timeline.

Unfair amount of time to expect a candidate to wait for a visa which may or may not be approved. Very difficult explaining this to candidates who live abroad. We have lost candidates because of this.

Very difficult for us to plan effectively when the AEWV timeline continually changes without a notification.

It is very important for our restaurant to employ migrants, as they have the knowledge of our cooking techniques which are necessary + they have trained many Kiwi Chefs, who have loved learning these techniques. It is frustrating to have to go through the Job Check with MSD when we know that there won't be anyone suitable.

The employer renewal process has become a nightmare, slow, expensive and over the top picky.

For those AEWV visas that are expiring in 2025-2026, can they be given considerations to extend and comply to new rules rather than being sent home after the contract and get rehired after one year? The skills they have mastered for the 3 years they work with us is more than enough to help us get through the challenging times of the hospitality industry.

The timeframe to apply for a visa from start to finish is ridiculously long. We are talking 5 months if you are lucky! Wage thresholds are unachievable for our small business. Immigration pushing back on number of tokens applied for and questioning organisational charts.

The whole immigration process takes far too long and it's quite expensive and they should not be allowed to work for another company. I have waited six months for a chef last year and after only working for about two months he resigned and started working for another company.

I personally don't see value in the job check process. I would rather immigration officers assess case to case. I have been through the process several times and have never found a good resident candidate via the job check process. It wastes time and money for all.

It's not popular to say, and it is a broad generalisation, but the industry needs to work harder at being an industry of choice for young New Zealanders and become less reliant on migrant workers. There are plenty of good migrant workers, but the flood of new migrants has meant the low skilled, problematic and troublesome far outnumber the capable and motivated. This will not go down as a good 4-5 years for the NZ hospitality industry workforce.

It needs to be streamlined, smoother and fast paced.

We get on fine with seasonal FOH workers who have a holiday work visa. I think more effort should go into that to lower the application cost and give them more time to stay and work in NZ. The problem with giving a 12 month working visa is that these people only want a couple of months work here and there so they can move on to other parts of NZ - it is a holiday for them. The efforts we make to get them up to speed on our restaurant are wasted for that short a time.

My advert didn't match exactly the job check. I wasn't able to amend the job check. I lost all my money paid to submit it. Had to withdraw it. Start again from scratch.

We have been waiting almost 5 months for a Chef De Partie job check approval. We started the process last November; we followed all the necessary steps. When the changes occurred in April, we had to wait for MSD check which pushed our application back further again. Finally we managed to submit our job check in May and since then, we still have not heard or received an approval, despite numerous attempts by our immigration advisor to contact Immigration. We have lost all trust with Immigration NZ especially with the constant changes.

final comment:

It is so unfortunate what the AEWV has done to our business and to my mental health. In the beginning, job checks were approved quickly, and the person on the other side would take a holistic approach to understand the particularities of our business. We own an authentic Japanese Restaurant and therefore we need specialised Japanese workforce. Lately, none of my Job Checks have moved and it has been 6 months since I've been waiting for an approval to hire a Sushi chef. No one can wait 6 months! I have only one chef that is now overworked. I will have to start closing some days, and there are no candidates available in NZ. Immigration has done nothing to understand my side and how much I'm struggling. As an example, during our last communication re the job check, they said they cannot accept Barcats as an advertising platform (although I have been using it for years) and this is new information to me, and that the fact I did not request 3 years of experience on my adverts to match the ANZCO role makes them suspect my job is illegitimate! Immigration should be a tool to support the businesses, and not to drive them to the bottom. I feel I'm being treated as if I was doing something wrong by hiring a skilled person that simply comes from overseas. The delay in the approvals and the costs that it adds to the operation is not something we can deal with now. Everyone is facing difficulties. On another separate occasion, Immigration has given an interim visa to one of my employees, because it could not make a decision on her partner visa before the expiration of her visa. The interim visa doesn't allow her to work! Does it mean she simply loses her job and I lose an employee? Just like that? Without notice?