



15 SEP 2020

Ryan Potts

fyi-request-13462-2ee0b228@requests.fyi.org.nz

Ref: DOIA 2021-0345

Dear Ryan Potts,

I refer to your official information request, which was received by the Ministry of Business, Innovation & Employment (the Ministry) on 14 August 2020. You requested, under the Official Information Act 1982 (OIA), the following information:

I would appreciate clarification of the following: There were 408 work visas issued for Dairy Cattle Farm Workers in June 2020 (Migration Data Explorer). I would like confirmation that 1) each of these visas was subject to labour market testing, and 2) no New Zealanders were found to be suitable and/or trainable for these specific job positions. Based on my understanding of Immigration Instructions and the information you have previously disclosed to me, I think it is a reasonable assumption that the answer to question 1) should be yes and the answer to question 2) should be no. If this is not the case then I would be grateful to receive an explanation.

I note the 408 figure you quoted was for the month of July 2020, rather than June 2020.

Response

As a matter of background, you can refine the data yourself using the Migration Data Explorer, and view the categories of visa application that were approved for the occupation of Dairy Cattle Farm Worker in July 2020.

If you do this, you will see that three categories of visa application were approved:

- Essential Skills – 375
- Variation of conditions – 21
- South Island Contribution – 12

Only the Essential Skills visa applications will generally have been subject to a labour market test. To meet the labour market test, an immigration officer must be satisfied that:

- The employer has made a genuine attempt to attract and recruit suitable New Zealand citizens or residence class visa holder workers; and
- There are no New Zealanders available who can take up the work on offer, or who can readily be trained to do the work on offer.

A labour market test will not have been performed for those granted a variation of conditions or a South Island Contribution work visa. This is because these categories of visa application are designed to achieve different policy objectives.

The purpose of a variation of conditions is to allow a person who *already holds a work visa* to change one or more of the conditions on their existing visa.

The objectives of the South Island Contribution category are to:

- Recognise well-settled temporary migrants who have made a commitment to New Zealand and their South Island communities; and
- Meet genuine regional labour market needs and contribute to individual firm productivity, by enabling employers to maintain an experienced workforce; and
- Minimise the risk of displacing New Zealanders from employment opportunities or hindering improvements to wages, working conditions or industry-wide productivity growth.

More information about the particular requirements for each of our work visa categories is available on our website: <https://www.immigration.govt.nz/new-zealand-visas/options/work>.

If you wish to discuss any aspect of your request or this response, please contact Fraser Stretton at fraser.stretton@mbie.govt.nz.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Steve McGill', with a stylized flourish at the end.

Steve McGill
Acting General Manager Border and Visa Operations
Immigration New Zealand
Ministry of Business, Innovation and Employment