



NEW ZEALAND  
IMMIGRATION

# Essential Skills Work Visa

## Facilitator Guide



MINISTRY OF BUSINESS,  
INNOVATION & EMPLOYMENT  
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New Zealand Government

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# Introduction

## Purpose

The purpose of this course is to deliver all topics within the Essential Skills work visa (ESWV) stream. This will be achieved by introducing the pathway attributes, application criteria, and then learning through practical experience working on case studies to provide an end-to-end view of the process.

## Learning outcomes

At the end of this course, learners will be able to:

- explain the end-to-end process for applying and assessing an ESWV application
- describe the criteria that make up an ESWV application
- apply the end-to-end process when assessing an ESWV application.

## Audience

This course has been developed for immigration officers that will be processing applications under the ESWV stream.

## Duration

Four days

## Prerequisites

Before undertaking this course, the learner must have completed all courses in the 'First Steps' and 'My Role' stages of the induction.

# Preparation

## Guide layout

This guide uses the following layout:

Time	Topic	Resource	Your Notes
Suggested time for each section.	Instructions on how to deliver each section.	Resources needed for each section.	Background information for each section, including where content is specific to a particular role/audience.  Also includes space for your notes.

## Facilitator topics

The Facilitator Topics, listed in the right-hand column of each lesson plan, are designed to help the facilitator prepare for the delivery of this course. They provide generic information as well as links to relevant information, including instructions and external websites. As you deliver the course, keep the Facilitator Topic open in the background, so that you have the links at hand when you want to demonstrate or show information on the screen to learners.

## Availability of Technical Advisor

Before delivering this course, contact the target training site to arrange for a Technical Advisor (TA) to be available for the full duration of the course to support facilitation and to oversee the processing of live applications.

## Resources

- Facilitator computer and projector
- Participant computers
- Pens and whiteboard markers
- Case study files
- Essential Skill Activity - 6(c)
- ESWV PowerPoint (electronic version and **printed** copy for each learner)
- Unprocessed applications for session with TA

## Room set-up

Refer to the Learning Delivery Team for suggested room set-up.

## Course outline

Time	Topic
<b>DAY ONE: 6 hours 35 minutes</b>	
1 hour 50 minutes	<b>Welcome and introduction to Essential Skills work visa</b> <b>Purpose:</b> To understand what the ESWV is, the process for applying, and tools used to process applications.
4 hours 20 minutes	<b>Case study one</b> <b>Purpose:</b> To learn and gain practical experience applying the processes and procedures which support an immigration officer to decide on ESWV applications.
25 minutes	<b>Review day one</b> <b>Purpose:</b> To help consolidate learning from the course so far.
<b>DAY TWO: 6 hours</b>	
3 hours 15 minutes	<b>Case study two</b> <b>Purpose:</b> To gain practical experience applying the processes and procedures which support an immigration officer to decide on an ESWV application.
2 hours 45 minutes	<b>Case study three</b> <b>Purpose:</b> To gain practical experience applying the processes and procedures which support an immigration officer to decide on ESWV applications.

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**DAY THREE: 4 hours**

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3 hours  
45 minutes

**Live applications with TA – session one**

**Purpose:** To gain practical experience applying the processes and procedures which support an immigration officer to decide on ESWV applications.

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15 minutes

**Review day three**

**Purpose:** To help consolidate learning from the course so far.

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**DAY FOUR: 7 hours**

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6 hours  
30 minutes

**Live applications with TA – session two**

**Purpose:** To gain practical experience applying the processes and procedures which support an immigration officer in deciding on ESWV applications.

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30 minutes

**Review day four**

**Purpose:** Review the key learning points before the course finishes.

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## Day one - Welcome and introduction to Essential Skills work visa

### Topic outcomes

By the end of this topic, learners will be able to:

- explain the key characteristics of the Essential Skills work visa (ESWV)
- describe the process for applying for an ESWV
- describe the employer responsibilities when intending to employ someone under the ESWV
- list the INZ tools used to assess an ESWV application
- describe the sections that make up an ESWV application and the Employer Supplementary Form.

### Topic resources

- Facilitator computer and projector
- Participant computers
- ESWV PowerPoint
- Case study one

### Lesson plan

Time	Topic	Resource	Your notes
5 mins	<b>Course welcome and introduction</b> <b>Show slide 2</b> <b>Tell learners:</b> <ul style="list-style-type: none"><li>• The agenda for the next four days on slide 2</li><li>• About how the course is structured and the topics that will be covered</li></ul>	<b>Slide 2</b>	<b>Note:</b> Suggest to learner's that as the course progresses, they save key links to external information to their favourites so that they have easy access to these throughout the course and once they are in the role.

Time	Topic	Resource	Your notes
	<ul style="list-style-type: none"> <li>The time that you will be taking breaks (morning, lunch and afternoon tea breaks and what time the day finishes; ensure you cover this point at the beginning of each day)</li> <li>Site specific health and safety emergency procedures</li> </ul> <p><b>Course structure and topics covered</b> Use the Course Outline as a reference as you provide learners with an overview of how the course is structured and the topics that will be covered. Explain that once we start working on the case studies they will first work in pairs, and then individually once they have gained confidence.</p>		Facilitator to remind learners to do this as the course progresses.
20 mins	<p><b>What is the ESWV?</b> Organise class into pairs</p> <p><b>Show slide 3</b> Working in pairs, allow 10 minutes to research the questions as shown.</p> <p><b>Instructions for accessing ESWV information:</b></p> <ul style="list-style-type: none"> <li>Go to <a href="https://www.immigration.govt.nz/new-zealand-visas">https://www.immigration.govt.nz/new-zealand-visas</a></li> <li>Type “esse” in the ‘Apply for’ field and click on <b>Essential Skills Work Visa</b></li> </ul> <p>Click on <b>VIEW DETAILS &amp; APPLY</b></p> <p>Ask each pair to answer one (or more) of the questions.</p> <p><b>Questions:</b></p>	<b>Slide 3</b>	<p><b>Note:</b> Try and keep the discussion about ‘What is the ESWV’ at a high level and within the time allocated. The aim of the Q&amp;As is to give learners an overview the ESWV, including the key distinct characteristics for this category. Learners will gain more in-depth knowledge about the ESWV as the course progresses.</p> <p>Essential Skills Work Visa: <a href="https://www.immigration.govt.nz/new-zealand-visas/apply-for-a-visa/about-visa/essential-skills-work-visa">https://www.immigration.govt.nz/new-zealand-visas/apply-for-a-visa/about-visa/essential-skills-work-visa</a></p>

Time	Topic	Resource	Your notes
	<p>Q. What are the goals of this pathway?  A. <i>Summary of goals: development of a highly skilled workforce, helping NZ firms maintain capacity, meeting important social needs; while not displacing NZs from employment, or hindering improvements to wages or working conditions; and managing fiscal risks, settlement risks and public perceptions of INZ.</i></p> <p>Q. What are three things to note about this pathway?  A.  <ul style="list-style-type: none"> <li>• <i>Employers need to try to recruit suitable New Zealanders who are available to do the work before offering you the job</i></li> <li>• <i>Partner or dependent children may be able to apply separately for visas based on their relationship with the applicant</i></li> <li>• <i>This visa isn't designed for people who are self-employed.</i></li> </ul> </p> <p>Q. How long can you be in New Zealand under this visa type (for applications after 27 July 2020)?  A. <i>Applicants will either be granted a 6 month or 3 year visa. The instructions state that a person "may hold visas based on employment that is paid below the median wage for a maximum period of 3 years before they are subject to a stand-down period". A stand down period requires that the person spends 12 consecutive months outside of New Zealand, see WK3.20.5.</i></p> <p>Q. What activities can you do under this visa type?  A. <i>Live, work, study (up to three months in any twelve month period).</i></p> <p>Q. What are the conditions around work</p>		<p><a href="#">WK3.20.5 Applicants who are required to spend time outside New Zealand (subject to a 'stand-down period')</a></p> <p><b>Note:</b> There is currently a 12-month deferral of the stand-down for EWSV apps made between 1st Jan 2021 – 31 Dec 2021) due to Covid-19 response. (WK3.20.9)</p>

Time	Topic	Resource	Your notes
	<p>A. <i>Person may work only in the specific occupation, for the employer and in the location specified on their visa. Their rate of pay should not be less than the market rate for New Zealand workers in that occupation. An IO will also assess if the rate of pay is at or below the median wage. They must provide evidence of the payment of remuneration if requested by an immigration officer.</i></p> <p>Q What do we mean by the ‘median wage’?</p> <p>A. <i>The ‘median wage’ is determined by Statistics New Zealand and is based on average New Zealand salaries. This is normally reviewed and updated in the Immigration Instructions annually. Under WK3.5.1 employment is assessed as at or above median wage if an applicant is offered at or above \$25.50 an hour and below median wage if they are offered less than that amount.</i></p> <p>6(c) [Redacted]</p>		<p><a href="#">WK3.5 Acceptable employment</a>  <a href="#">WK3.5.1 Determining the remuneration level of employment</a></p>
15 mins	<p><b>How does an applicant know which visa to apply for?</b>  <b>Show slide 4</b>  Briefly speak to each method.</p>	Slide 4	<p>Job market and key industries:  <a href="https://www.newzealandnow.govt.nz/work-in-nz/nz-jobs-industries">https://www.newzealandnow.govt.nz/work-in-nz/nz-jobs-industries</a></p>

Time	Topic	Resource	Your notes
	<p>Allow learners 5 minutes to navigate and explore the information about the Essential Skills on the INZ website.</p> <p><b>Methods:</b></p> <ul style="list-style-type: none"> <li>• approach an immigration advisor</li> <li>• call the Immigration Contact Centre (ICC) and speak with a customer services officer</li> <li>• look on the immigration website.</li> </ul> <p><b>Knowing which visa to apply for:</b></p> <ul style="list-style-type: none"> <li>• Go to <a href="https://www.immigration.govt.nz/new-zealand-visas">https://www.immigration.govt.nz/new-zealand-visas</a></li> <li>• Click <b>Work</b></li> <li>• Click <b>1. I'm thinking about New Zealand for work</b></li> <li>• Click <b>job market and key industries</b></li> <li>• From the 'Skills in demand' table, click on an occupation (eg 'Engineering')</li> <li>• Scroll down and click <b>Visas to work</b> under 'Visa options'</li> <li>• Click <b>Work visas</b></li> </ul>		
5 mins	<p><b>Overview of ESWV requirements (<a href="#">WK1.5</a>)</b></p> <p><b>Show slide 5</b></p> <p>Provide an overview and the requirements for the ESWV by talking to the bullets on the slide (<a href="#">WK3.5</a>)</p> <ul style="list-style-type: none"> <li>• Need an offer of employment</li> <li>• ESWV may only be granted if:</li> </ul>	Slide 5	

Time	Topic	Resource	Your notes
	<ul style="list-style-type: none"> <li>○ The employment is acceptable (WK3.5) and,</li> <li>○ No New Zealand citizens or residents are available for the work (WK3.10); and</li> <li>○ The employer meets requirements (WK3.15); and</li> <li>○ The applicant meets requirements (WK3.20).</li> </ul> <ul style="list-style-type: none"> <li>● The remuneration (WK3.5.1) determines the currency of the ESWV granted and the ability of the ESWV holder to support temporary visas for family members.</li> </ul> <p>Explain that we will be examining the requirements in more details when we work through the case study.</p>		
15 mins	<p><b>Employer responsibilities</b> <b>Show slide 6</b></p> <p>Provide an overview of employer’s responsibilities, including a brief explanation of the VisaView tool.</p> <p><b>Employer responsibilities:</b></p> <ul style="list-style-type: none"> <li>● checking visa status – the VisaView tool can be used to check that the person to be hired is allowed to work in New Zealand</li> <li>● providing evidence of a job offer (written employment agreement - covered in detail in case study 1)</li> <li>● complying with minimum obligations under employment and immigration law</li> <li>● providing an Employer Supplementary Form.</li> </ul> <p><b>Ask the class:</b></p>	<b>Slide 6</b>	<p>Employer Responsibilities:  <a href="https://www.immigration.govt.nz/new-zealand-visas/apply-for-a-visa/visa-factsheet/essential-skills-work-visa#employers">https://www.immigration.govt.nz/new-zealand-visas/apply-for-a-visa/visa-factsheet/essential-skills-work-visa#employers</a></p> <p>Check someone can legally work for you:  <a href="https://www.immigration.govt.nz/employ-migrants/explore-your-options/things-to-consider-before-hiring-migrants/check-a-candidates-visa-status">https://www.immigration.govt.nz/employ-migrants/explore-your-options/things-to-consider-before-hiring-migrants/check-a-candidates-visa-status</a></p>

Time	Topic	Resource	Your notes
	<ul style="list-style-type: none"> <li>• why employment law is important when assessing a work visa?</li> <li>• to recall the laws that the employer must meet</li> <li>• to recall what it means to be a good employer.</li> </ul> <p>Allow learners 5 minutes to explore the information on INZ page about employers.</p> <p><b>Instructions for accessing Employer information</b></p> <ul style="list-style-type: none"> <li>• Go to <a href="https://www.immigration.govt.nz/new-zealand-visas">https://www.immigration.govt.nz/new-zealand-visas</a></li> <li>• Type “Esse” in the ‘Find a visa factsheet’ field at the bottom of the page, and click on <b>Essential Skills Work Visa</b></li> </ul> <p>Click on <b>EMPLOYERS</b></p> <p><b>Why Employment law is important.</b> It’s mandatory for employers to comply with employment laws. (<a href="#">W2.10.5</a>). Reduces risks of exploitation and undermining NZ work force.</p> <p><b>Employment laws</b></p> <ul style="list-style-type: none"> <li>• The Employment Relations Act (2000)</li> <li>• The Wages Protection Act (1983)</li> <li>• The Minimum Wages Act (1983)</li> <li>• The Holidays Act (2003)</li> <li>• Health and Safety at Work Act (2015)</li> </ul> <p><b>Being a good employer</b></p>		

Time	Topic	Resource	Your notes
	<ul style="list-style-type: none"> <li>Does the employer have a history with INZ? (IO can check for AMS warnings (such as declines), under the “Client Contacts” tab.</li> <li>Have there been issues with Labour Inspectorate?</li> <li>Have there been issues with compliance? (IO’s can find employers with compliance issues by checking the Stand down list – we will be looking at this list later in the course).</li> </ul>		
10 mins	<p><b>What is the difference between ESWV and other visa types?</b>  <b>Show slide 7</b></p> <p>Allow learners 5 minutes to use the compare tool on INZ website to compare the ESWV to the other visa types using the example provided  Ask for feedback on the key findings</p> <p><b>Instructions for comparing visa types</b></p> <ul style="list-style-type: none"> <li>Go to <a href="https://www.immigration.govt.nz/new-zealand-visas">https://www.immigration.govt.nz/new-zealand-visas</a></li> <li>Click <b>Work</b>.</li> <li>Click <b>2. Explore visa options to work</b>.</li> <li>Enter the criteria that you <b>have</b> a job offer, you’re from the <b>Bahamas</b> and you’re <b>35</b> years old.</li> <li>Click <b>DISPLAY OPTIONS</b></li> <li>Compare <b>Skilled Migrant Category Resident Visa</b> to <b>Essential Skills Work Visa</b>, and then click <b>VIEW &amp; COMPARE</b>.</li> </ul>	<b>Slide 7</b>	<p>Explore visa options to work:  <a href="https://www.immigration.govt.nz/new-zealand-visas/options/work/explore-work-visa-options">https://www.immigration.govt.nz/new-zealand-visas/options/work/explore-work-visa-options</a></p>



Time	Topic	Resource	Your notes
15 mins	<p><b>Overview of the ESWV application process</b> (<a href="#">WK1.5</a>)</p> <p><b>Show slide 8</b> and briefly talk to the process chart and the note about interim visas (<a href="#">11.5</a>)</p> <p><b>Steps</b></p> <ol style="list-style-type: none"> <li><b>Offer of full-time work</b> (definition of full-time covered later in training): Applicants need to provide a written employment agreement and an ‘Employer Supplementary Form’. Employer must include evidence genuine attempts to recruit NZs (unless occupation on Essential Skills in Demand list). If the role is paid below the median wage, the employer must engage with WINZ. We’ll cover both of these more as we look at our first case study. <ul style="list-style-type: none"> <li>Employers may request an Approval in Principle (AIP) the employer needs to show that the employment is: <ul style="list-style-type: none"> <li>Acceptable: genuine, sustainable and full time (WK3.5),</li> <li>there are no New Zealand citizens or residents available for the work (WK3.10), and</li> <li>the employer meets requirements within WK3.15 ie they comply with New Zealand employment law and are the direct employer for the employee.</li> </ul> </li> </ul> </li> <li><b>Apply for work visa:</b></li> </ol>	<b>Slide 8</b>	<p>Process steps:  <a href="https://www.immigration.govt.nz/new-zealand-visas/apply-for-a-visa/visa-factsheet/essential-skills-work-visa#process">https://www.immigration.govt.nz/new-zealand-visas/apply-for-a-visa/visa-factsheet/essential-skills-work-visa#process</a></p> <p>Check criteria:  <a href="https://www.immigration.govt.nz/new-zealand-visas/apply-for-a-visa/visa-factsheet/essential-skills-work-visa#criteria">https://www.immigration.govt.nz/new-zealand-visas/apply-for-a-visa/visa-factsheet/essential-skills-work-visa#criteria</a></p> <p><a href="#">WK1.5.1 Applications with approval in principle</a>  <a href="#">WK3.1 Assessing an ES application or a request for approval in principle to recruit overseas workers</a></p> <p><a href="#">WK3.5</a>  <a href="#">WK3.10</a>  <a href="#">WK3.15</a></p>

Time	Topic	Resource	Your notes
	<p>3. <b>Application assessed and decision made:</b> Decision usually made within 4 months, though can take up to 12 for complex applications. Interim visa granted for up to 6 months while the visa is being assessed, unless warning prevent it.</p> <p>Allow learners 5 minutes to navigate and explore the information about the application process and the criteria on the INZ website</p> <p>Check criteria tool. Can be used to check specific details in relation to Nationality of passport, and location where applicant made.</p> <p><b>Instructions for accessing ESWV information:</b></p> <ul style="list-style-type: none"> <li>• Go to <a href="https://www.immigration.govt.nz/new-zealand-visas">https://www.immigration.govt.nz/new-zealand-visas</a></li> <li>• Type “Esse” in the ‘Find a visa factsheet’ field and click on <b>Essential Skills Work Visa</b></li> <li>• Click on <b>PROCESS</b> and select a ‘Nationality on Passport’ and a ‘Location when you apply’ and whether to ‘Include others on application’ and a ‘Preferred method of submission’.</li> <li>• Click <b>VIEW PROCESS</b></li> </ul>		
10 mins	<p><b>How does an immigration officer assess an ESWV application?</b> <b>Show slide 9</b></p> <p>Briefly explain the INZ tools used when assessing applications.</p>	<b>Slide 9</b>	<p>Global Process Manual: <a href="http://inzkit/publish/globalprocessmanual/#57425.htm">http://inzkit/publish/globalprocessmanual/#57425.htm</a></p> <p>Visa Assessment Tools:</p>

Time	Topic	Resource	Your notes
	<p>Ask learners to navigate to each tools /resource so that they know how to access them.</p> <p><b>Tools</b></p> <ul style="list-style-type: none"> <li>• Global Process Manual</li> <li>• Visa Assessment Tools</li> <li>• Operations Manual</li> </ul> <p><b>Instructions for accessing tools:</b> On The Link go to <b>About us</b>, select <b>Our groups</b>, then <b>Immigration New Zealand</b>, then <b>Resources</b>, finally click <b>INZkit</b> to access the following:</p> <ol style="list-style-type: none"> <li>1. Click <b>Processing applications</b> , click on <b>View</b> under ‘Global Process Manual’, click <b>Temporary visa</b></li> <li>2. Click <b>Verifying and assessing</b>, scroll down and click <b>Essential Skills Visa Assessment Tool</b></li> <li>3. Click <b>Operations Manual</b>, click <b>Temporary entry class visas</b>, then <b>Work visas</b>, the <b>WK Essential Skills work instructions</b></li> </ol>		<p><a href="http://thelink/content/inzkit/Pages/verifying-and-assessing.aspx">http://thelink/content/inzkit/Pages/verifying-and-assessing.aspx</a></p> <p>Operational Manual: <a href="http://inzkit/publish/opsmanual/#34495.htm">http://inzkit/publish/opsmanual/#34495.htm</a></p>
15 mins	<p><b>Overview of the Application Form and Employer Supplementary Form</b></p> <p>Hand out case study one example</p> <p>Provide an overview of the Application Form, by explaining what each section in the form is used for (further information about the sections can be found in the Application for Essential Skills Work Visa Guide).</p>	<b>Case study one</b>	<p>Work Visa Guide (INZ 1016): <a href="https://www.immigration.govt.nz/new-zealand-visas/apply-for-a-visa/tools-and-information/forms-guides-and-checklists/@@resource_summary/f6f610bfcd4f464ea328859fe1ed363d">https://www.immigration.govt.nz/new-zealand-visas/apply-for-a-visa/tools-and-information/forms-guides-and-checklists/@@resource_summary/f6f610bfcd4f464ea328859fe1ed363d</a></p> <p>Essential Skills employer guide:</p>

Time	Topic	Resource	Your notes
	<p><b>Sections</b></p> <ul style="list-style-type: none"> <li>• Section A: Personal details. In this section the applicant provides information about their identity. It is accompanied by a copy of a Passport.</li> <li>• Section B: Contact details. Includes fields for information about advisers can be person who assists with application; e.g. lawyer, immigration adviser, translator, friend or family member.</li> <li>• Section C: Health. Includes fields for information about maternity health services requirements and funds or sponsorship if these services are required. The applicant provides information and evidence about meeting ASH standards. (Refer to Health Requirements leaflet (INZ1121)).</li> <li>• Section D: Principal Applicant’s Character. Includes declaration if person has been removed, deported or excluded from any country, excluding New Zealand. This section includes requirements for providing Police Certificate.</li> <li>• Section E: Employment and qualifications. To be completed by applicants who do not hold a current work visa.</li> <li>• Section F: Job offer. Information about the job offer including the ANZSCO code.</li> <li>• Section G: Declaration. To be signed by applicant.</li> <li>• Section H: Immigration Adviser’s details.</li> </ul>		<p><a href="https://www.immigration.govt.nz/documents/employer-resources/essential-skills-employer-guide.pdf">https://www.immigration.govt.nz/documents/employer-resources/essential-skills-employer-guide.pdf</a></p>

Time	Topic	Resource	Your notes
	<ul style="list-style-type: none"> <li>• Section I: Declaration by person assisting the applicant.</li> <li>• Section J: Paying you application fee and immigration levy.</li> </ul> <p><b>Sections Employer Supplementary Form</b></p> <ul style="list-style-type: none"> <li>• Section A: Employer details. To be accompanied by an employment agreement.</li> <li>• Section B: Position details. Details about the position offered, including remuneration information and ANZSCO level.</li> <li>• Section C: Overseas recruitment based on non-availability of NZ residents. To be completed unless the occupation is on NZ skills shortage list and meets qualifications and/or work experience requirements or the person has been invited or has applied under the Skilled Migrant Category (Residence).</li> <li>• Section D: Declaration</li> </ul>		
	<p><b>Financial sustainability</b></p> <p>INZ needs to be satisfied that a job offer is sustainable, which can usually be assessed based on the facts we have readily available.</p> <p>Immigration Officers look at the financial sustainability of an offer of employment. If they need help, then VOs and TAs can provide support.</p>		

Time	Topic	Resource	Your notes
	<p>Ask the group what they think are they key factors an Immigration Officer would need to consider when looking at the sustainability of a job offer.</p> <p>Possible answers include the following.</p> <ul style="list-style-type: none"> <li>• how long an employer has been operating</li> <li>• if staff have been made redundant</li> <li>• how many locations the business has</li> <li>• history with MBIE/INZ</li> </ul> <p>Explain we'll look at these in more detail now.</p> <p><b>Show slide 10</b></p> <p>Handout a copy of 'Essential Skill Activity - Sustainability risk factors' to each learner.</p> <p>Ask the learners to read through the indicators of sustainable employment and decide what level of risk they think applies to each indicator. Learners can check their answers in pairs.</p> <p><b>Click to reveal the answers on Slide 10.</b></p> <p>Explain the additional points:</p> <ul style="list-style-type: none"> <li>• the reasons for/number of redundancies will dictate <b>6(c)</b> <span style="background-color: black; color: black;">[REDACTED]</span>, so not automatically cause for concern)</li> <li>• trades in multiple locations/franchise (positive factor)</li> </ul>	<p><b>Slide 10</b></p> <p><b>Essential Skill Activity - Sustainability risk factors</b></p>	

Time	Topic	Resource	Your notes
	<ul style="list-style-type: none"> <li>• previous history with MBIE/INZ (previous approvals are a positive factor)</li> <li>• whether the employer holds an AIP (Approved in Principle accreditation) or is accredited (positive factor, overall business financial sustainability is assessed in the course of these applications).</li> </ul> <p>We can find a lot of information from the NZ Companies Office. Their registry, and website, include valuable information such as:</p> <ul style="list-style-type: none"> <li>• the date the company was first registered (note: this date does not always correspond to the actual date trading commenced)</li> <li>• whether the company has an adverse status (e.g. the company status is in liquidation, removed, receivership, voluntary administration)</li> <li>• the names of directors</li> <li>• ultimate holding companies (an ultimate holding company is a company that has control over other companies (its subsidiaries) – eg the Warehouse Group Ltd is the ultimate holding company for Noel Leeming Ltd.)</li> <li>• shareholders/owners</li> <li>• the New Zealand Business Number (NZBN)</li> <li>• physical addresses connected to the business</li> </ul>		

Time	Topic	Resource	Your notes
	<ul style="list-style-type: none"> <li>• the business’s website</li> <li>• the industry sector for the business.</li> </ul> <p>6(c) [REDACTED]</p> <p>6(c) [REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>6(c) [REDACTED]</p> <ul style="list-style-type: none"> <li>■ [REDACTED]</li> <li>■ [REDACTED]</li> <li>■ [REDACTED]</li> </ul>		





# Case study one

## Topic outcomes


By the end of this topic, learners will be able to apply the end-to-end process when assessing an ESWV application.

## Topic resources

- Facilitator computer and projector
- Participant computers
- ESWV PowerPoint
- Case study one

## Lesson Plan

Time	Topic	Resource	Your notes
5 mins	<b>Introduction</b> We are going to learn the steps for processing an ESWV application by applying the topics to a number of case studies.  <b>Hand out case study one</b> 9(2)(a) 6(c)	<b>Case study one</b>	<b>Note:</b> Ask learners, when answering questions about the case study, to summarise and pick out key points from the source information rather than quoting word-for-word, for example, from the Operations Manual.  Facilitator to use case study one cover sheet to answer questions
10 mins	<b>Low touch vs high touch</b> <b>Explain:</b>		Assess Essential Skills – Low Touch / High Touch SOPS

Time	Topic	Resource	Your notes
	<ul style="list-style-type: none"> <li>all applications require a pre-assessment to determine whether they are a Low Touch or High Touch application. The focus of the pre-assessment is on the employer and employment instructions, as specified in this SOP</li> <li>applications will be processed according to the low touch or high touch SOP</li> <li>show the low Touch SOP and talk through the flow Chart <a href="http://inzkit/publish/globalprocessmanual/#72273.htm">http://inzkit/publish/globalprocessmanual/#72273.htm</a></li> <li>show the High Touch SOP and briefly talk to the process steps <a href="http://inzkit/publish/globalprocessmanual/#72275.htm">http://inzkit/publish/globalprocessmanual/#72275.htm</a>.</li> </ul> <p>6(c)</p> 		<a href="http://inzkit/publish/globalprocessmanual/#57253.htm">http://inzkit/publish/globalprocessmanual/#57253.htm</a>
5 mins	<p><b>Check the Adviser is licenced</b></p> <p><b>Explain</b> that applications put forward on behalf of another person by an unlicensed immigration adviser should not be accepted, unless the immigration adviser is exempt under the Immigration Advisers Licensing Act 2007. (A18)</p> <p><b>Show</b> how to check that an advisor is licensed—check with INZ Advisers Authority.</p>		<p>INZ Advisers Authority</p> <p><a href="https://iaa.ewr.govt.nz/PublicRegister/Search.aspx">https://iaa.ewr.govt.nz/PublicRegister/Search.aspx</a></p>
5 mins	<p><b>Applicants with partners and dependents</b></p> <p><b>Explain:</b></p>		

Time	Topic	Resource	Your notes
	<ul style="list-style-type: none"> <li>the partner and dependents of an applicant may apply for a visa separately under instructions (<a href="#">V3.10</a>, <a href="#">WF3</a>, <a href="#">U8.20</a>)</li> <li>if an applicant has indicated that they have a partner, then the IO will need to check if <a href="#">WF3.1.1</a> applies.</li> </ul> <p><b>Show</b> and explain the key points in instructions <a href="#">WF3.1.1</a>.</p> <p>Tell the class that we will not be assessing the partner’s application as part of this case study as this will be taught on the job.</p>		
10 mins	<p><b>Identity, health and character</b></p> <p><b>Show slide 12</b></p> <p>As a recap ask the class:</p> <ul style="list-style-type: none"> <li>What are the documents that we need to check to confirm Identity?</li> <li>Why do we assess Health (<a href="#">A4</a>)?</li> <li>Why do we assess Character (<a href="#">A5</a>)?</li> </ul> <p>Allow 5 minutes to answer the below question.</p> <p>Ask a pair to report back.</p> <p><b>Question:</b> Has <b>9(2)(a)</b> provided all the required information in relation to identity, character and health?</p>	<b>Slide 12</b>	
10 mins	<p><b>Employment is acceptable – Overview</b></p> <p><b>Show slide 13</b></p>	<b>Slide 13</b>	

Time	Topic	Resource	Your notes
	<p>Provide an overview of and the requirements for acceptable employment. (<a href="#">WK3.5</a>)</p> <p>Explain that we will be looking at each of these requirements more in depth as we progress through the case study.</p> <p><b>Overview and requirements for acceptable employment (<a href="#">WK3.5</a>)</b></p> <ul style="list-style-type: none"> <li>• offer of employment meets requirements; and</li> <li>• employment offered is genuine, sustainable and full-time; and</li> <li>• payment is by wages or salary</li> <li>• rate of pay is not less than the market rate for that occupation</li> <li>• remuneration threshold</li> <li>• conditions under which applications are declined.</li> </ul>		
20 mins	<p><b>Employment is acceptable – Offer of employment</b></p> <p>Show the Employment New Zealand information; <a href="#">Things an agreement must contain</a> and discuss minimum requirements of an EA.</p> <p><b>Show slide 14</b></p> <p>In pairs, allow 10 minutes to answer the questions.</p> <p>Ask for a pair to answer each of the questions.</p> <p><b>Questions:</b></p> <ul style="list-style-type: none"> <li>• Does <b>9(2)(a)</b>'s offer of employment contain all of the required information (<a href="#">W2.10.10</a>)?</li> <li>• Does the EA meet the minimum requirements?</li> <li>• How would assess if the employer is compliant (<a href="#">W2.10.15</a>)?</li> </ul>	<b>Slide 14</b>	<p>Things an agreement must contain</p> <p><a href="https://www.employment.govt.nz/starting-employment/employment-agreements/things-an-agreement-must-contain/">https://www.employment.govt.nz/starting-employment/employment-agreements/things-an-agreement-must-contain/</a></p>

Time	Topic	Resource	Your notes
20 mins	<p><b>Employment is acceptable – Genuine, sustainable and fulltime</b></p> <p>Explain that VAT provides a checklist of possible things to check (e.g. Google Maps and looking for the business on the Companies Register).</p> <p>Show the Stand Down list and explain that it lists employers who are non-compliant.  <a href="https://www.employment.govt.nz/resolving-problems/steps-to-resolve/labour-inspectorate/employers-who-have-breached-minimum-employment-standards">https://www.employment.govt.nz/resolving-problems/steps-to-resolve/labour-inspectorate/employers-who-have-breached-minimum-employment-standards</a></p> <p><b>Show slide 15</b></p> <p>In pairs, allow 10 minutes to answer the questions.  Ask for a pair to answer the question.</p> <p><b>Questions:</b></p> <ul style="list-style-type: none"> <li>• What’s the definition of full-time employment (<a href="#">W2.2</a>)?</li> <li>• From the information you have at hand can you determine employment offered to <b>9(2)(a)</b> to be genuine, sustainable and fulltime?</li> </ul>	Slide 15	<p>Employment Law  <a href="https://www.immigration.govt.nz/employ-migrants/explore-your-options/your-responsibilities-and-obligations/law-immigration-employment/employment-law">https://www.immigration.govt.nz/employ-migrants/explore-your-options/your-responsibilities-and-obligations/law-immigration-employment/employment-law</a></p> <p>Employers who have breached minimum employment standards  <a href="https://www.employment.govt.nz/resolving-problems/steps-to-resolve/labour-inspectorate/employers-who-have-breached-minimum-employment-standards">https://www.employment.govt.nz/resolving-problems/steps-to-resolve/labour-inspectorate/employers-who-have-breached-minimum-employment-standards</a></p>
25 mins	<p><b>Overview of Median Wage</b></p> <p>As we discussed earlier, median wage is the median hourly earnings measured from wage and salary jobs across NZ to show how much employees earn in a usual week. This is currently \$25.50 per hour.</p>		<p><b>Note:</b> this is as of July 2020, please update as necessary.</p> <p><u>I’m not sure it’s necessary to mention in this training but could note here that when calculating “hourly rates” time spent “sleeping”</u></p>

Time	Topic	Resource	Your notes
	<p>Immigration Officers use the median wage to help assess an application for an ESWV. The primary applicant's wage determines if they are in one of two remuneration levels:</p> <ol style="list-style-type: none"> <li>1. At or above median wage</li> <li>2. Below median wage</li> </ol> <p><b>Show slide 16</b> Talk through the differences using the flow chart.</p> <p>The remuneration rate determines:</p> <ul style="list-style-type: none"> <li>• The visa duration granted</li> <li>• The maximum stay allowed (whether the visa holder is subject to the stand down list after 3years of below median wage work)</li> <li>• Whether a Skills Match Report from MSD must be provided</li> <li>• Eligibility to support work visas for partners</li> </ul> <p>If applicants provide a yearly salary, we need to use their contracted hours to calculate what the hourly rate is.</p> <p>Ask the learners to individually work out if the person following scenario is above or below minimum wage, and vote above or below. Hours / week on contract: 38 Annual salary: \$52,000</p> <p>Answer: \$26.32 per hour = above median wage Maths = <math>\\$52,000 \text{ (salary)} \div 52 \text{ (weeks in year)} \div 38 \text{ (hours in a week)}</math></p>	<p><b>Slide 16</b></p>	<p><u>for overnight hours of work are excluded (refer WK3.5.10)</u></p>

Time	Topic	Resource	Your notes
	Note, some learners may do this the other way around.		
20 mins	<p><b>Employment is acceptable – Remuneration rate</b>  <b>Show slide 17</b></p> <p>In pairs, allow 15 minutes to answer the questions.  Ask for a pair to answer (one or more) the questions.</p> <p><b>Questions:</b></p> <ul style="list-style-type: none"> <li>• What is <b>9(2)(a)</b>'s hourly rate? Is it above or below median wage?</li> <li>• What is the maximum visa duration for this remuneration level threshold (<a href="#">WK4.1</a>)?</li> <li>• Does the employer need to engage with Work and Income?  <i>Explain that shortly you'll look further into how an employer does this</i></li> </ul>	<b>Slide 17</b>	
25 mins	<p><b>Overview of ANZSCO</b>  <b>Show slide 18</b></p> <p>ANZSCO is the Australia and New Zealand Standard Classification of Occupations. It defines the key tasks normally undertaken in a specific role, and the skill level or qualifications required to perform these tasks.</p>	<b>Slide 18</b>	



Time	Topic	Resource	Your notes
	<p>Immigration officers use ANZSCO to determine if an applicant is suitably qualified for the position offered, and if the tasks in their job description match the ANZSCO role.</p> <p>It is also used to determine if the applicant meets the market rate of remuneration.</p> <p>As ANZSCO doesn't affect the currency of the visa granted, it can often be taken at face value, however we need to ensure the applicant still is applying under the correct code.</p> <p><b>Click slide 18 to reveal flowchart</b> Use the flowchart to explain how to use ANZSCO to check if a JD has a substantial match (See note to facilitator).</p> <p><b>Show slide 19</b> In pairs, allow 15 minutes to answer the questions. Ask a pair to answer one (or more) of the questions.</p> <p><b>Questions:</b></p> <ul style="list-style-type: none"> <li>• What ANZSCO level is the role that 9(2)(a) has been offered?</li> <li>• Is 9(2)(a)'s role a substantial match?</li> </ul>	<p><b>Click slide 18</b></p> <p><b>Slide 19</b></p>	
15 mins	<b>Employment is acceptable - Market rates (remuneration threshold) for the role</b>	<b>Slide 20</b>	Essential Skills Visa Assessment Tool

Time	Topic	Resource	Your notes
	<p><b>Show slide 20</b></p> <p>Ask the class why they think it's important to check market rates?</p> <p>Discuss the things that may need to be considered.</p> <p>Demonstrate how you can check the market rate for a role.</p> <p><b>Considerations when determining market rates for the role:</b></p> <ul style="list-style-type: none"> <li>• typical rate of pay a New Zealander receives for equivalent work</li> <li>• rates of pay provided by collective agreements for the relevant industry</li> <li>• level of training and experience required for position</li> <li>• experience of applicant</li> <li>• size and location of the business.</li> </ul> <p><b>Show slide 21</b></p> <p>In pairs, allow 10 minutes to answer the question.</p> <p>Ask a pair to answer the question.</p> <p><b>Question</b></p> <p>Does <b>9(2)(a)</b>'s hourly rate meet the market rate for the role?</p>	<p><b>Slide 21</b></p>	<p><a href="http://thelink/content/inzkit/Pages/verifying-and-assessing.aspx">http://thelink/content/inzkit/Pages/verifying-and-assessing.aspx</a></p> <p>Other sources for checking market rate include:</p> <ul style="list-style-type: none"> <li>• <a href="http://thelink/content/inzkit/Pages/inz-resources.aspx">http://thelink/content/inzkit/Pages/inz-resources.aspx</a>. Click Market rate Guide</li> <li>• <a href="http://www.careers.govt.nz">www.careers.govt.nz</a> &gt; search for salary guide</li> <li>• Occupation outlook pay scale <a href="http://occupationoutlook.mbie.govt.nz/">http://occupationoutlook.mbie.govt.nz/</a></li> </ul>
20 mins	<p><b>Requirements to be suitably qualified (WK3.20)</b></p> <p><b>Show slide 22</b></p> <p>Provide an overview of the requirements regarding being suitably qualified (see facilitator notes below).</p>	<p><b>Slide 22</b></p>	

Time	Topic	Resource	Your notes
	<p><b>Explain:</b></p> <ul style="list-style-type: none"> <li>• how ANZSCO links to the NZQF</li> <li>• the relevance of qualifications to employment.</li> </ul> <p>Describe the types of evidence that is needed.</p> <p>Demonstrate how to use LQEA (<a href="#">Appendix 3</a>).</p> <p><b>Show slide 23</b></p> <p>Ask learners to do the activity (see below). In pairs, allow 10 minutes to answer the questions. Ask a pair to answer one (or more) of the questions.</p> <p><b>Requirements to be suitably qualified</b></p> <p>The code can be same as claimed if i) the JD substantially matches the tasks in the ANZSCO claimed AND ii) there is no risk that the applicant may not actually perform the duties in the JD or the risk was identified but mitigated.</p> <p>The code may be different from what is claimed if i) the JD does not substantially match the tasks in the ANZSCO occupation claimed OR ii) it has been verified that the applicant does not perform the tasks in the ANZSCO claimed.</p> <p><b>Activity - LQEA table</b></p> <p>Use the LQEA table to check:</p> <ul style="list-style-type: none"> <li>• Bachelor (BSc) i (Biology), Aalborg Universitet Denmark”; 2007</li> <li>• Bachelor of Arts. Shahid Beheshti University Iran, 1997</li> </ul>	<p><b>Slide 23</b></p>	

Time	Topic	Resource	Your notes
	<ul style="list-style-type: none"> <li>Bachelor of Business, Charles Darwin University Australia, 2007</li> </ul> <b>Questions:</b> <ul style="list-style-type: none"> <li>Is <b>9(2)(a)</b> suitably qualified for the role on offer (<a href="#">WK3.20.1</a>)?</li> <li>If not, which requirements have not yet been met?</li> </ul>		
20 mins	<p><b>Determining availability of NZ citizens or residents</b></p> <p><b>Show slide 24</b></p> <p>Explain the key requirements when determining availability of New Zealand citizens or residents (<a href="#">WK3.10</a>).</p> <p>Discuss the definition of Genuine attempts to recruit suitable New Zealanders (<a href="#">WK3.10.5</a>).</p> <p><b>Show slide 25</b></p> <p>In pairs, allow 10 minutes to answer the questions.</p> <p>Ask pair to answer one (or more) of the questions.</p> <p><b>Questions:</b></p> <ul style="list-style-type: none"> <li>What are the skill shortage lists and what are some key things about each of these lists?</li> <li>Is <b>9(2)(a)</b>'s job on any of the skill shortage lists?</li> </ul>	<p><b>Slide 24</b></p> <p><b>Slide 25</b></p>	<p>Skill shortage lists:  <a href="https://skillshortages.immigration.govt.nz/">https://skillshortages.immigration.govt.nz/</a>  Job Advertising Guide:  <a href="http://thelink/content/inzkit/Pages/inz-resources.aspx">http://thelink/content/inzkit/Pages/inz-resources.aspx</a> &gt; Job Advertising Guide 2019</p>
30 mins	<p><b>Labour Market Tests (<a href="#">WK3.10.1</a>)</b></p> <p><b>Show slide 26</b></p> <p>Explain that a Labour Market Test is when the employer checks that no New Zealanders are suitable / available instead of the applicant.</p>	<p><b>Slide 26</b></p>	

Time	Topic	Resource	Your notes
	<p>This must be tested by advertising for the role. All roles, both below and above the median wage threshold, require advertising.</p> <p>Longer, nationwide advertising is required for roles paid above the median wage, as New Zealanders may be more willing to move cities for the position. For roles below the median wage, it's often sufficient to just advertise for New Zealanders within the local region.</p> <p>Explain that these aren't rules, but are guidelines. We wouldn't decline an application because advertising was older than three months, but we might decline on the basis that a genuine attempt to recruit a New Zealander hasn't been made, and the fact that advertising isn't recent.</p> <p><b>Show slide 27</b></p> <p>Work and Income can advertise for the role on behalf of the employer, and provide a Skills Match Report (SMR) if no New Zealanders have been found suitable for the position.</p> <p>Talk through each part of a Skill Match Report and how to interpret the overall result.</p> <p>A Skills Match Report is not required for roles above the median Wage – the LMT advertising is sufficient.</p> <p>For roles below the median wage an SMR is required.</p> <p><b>Oversupply and undersupply lists</b></p> <p>Explain that Work and Income have lists for positions that either have an undersupply of New Zealanders able to do the role, or an oversupply. For these roles, Work and Income won't provide an SMR</p>	<p><b>Slide 27</b></p>	<p><b>Note: Slide 27 has multiple layers, please click through to reveal as you discuss</b></p>

Time	Topic	Resource	Your notes
	<p>as they already know that there are either not enough New Zealanders available, or that there are plenty.</p> <p>Ask learners to go to the website below and find the lists  <a href="https://www.workandincome.govt.nz/employers/help-with-recruitment/hiring-someone-from-overseas.html#null">https://www.workandincome.govt.nz/employers/help-with-recruitment/hiring-someone-from-overseas.html#null</a></p> <p><b>Show slide 28</b></p> <p><b>Question</b>  Does the advertising for <b>9(2)(a)</b> role meet the definition of a genuine attempt to advertise (<a href="#">WK3.10.5</a>)?</p> <p>Give pairs 5 minutes to find the answer.  Ask a pair to answer the question to the group.</p>	<p><b>Slide 28</b></p>	
<p>10 mins</p>	<p><b>Bona fides</b>  <b>Show slide 29</b></p> <p>As a recap, ask the class:</p> <ul style="list-style-type: none"> <li>• Why do we assess bona fides (<a href="#">E5.5</a>)?</li> <li>• What is the definition of bona fides (<a href="#">E5.1</a>)?</li> <li>• What do we check to determine whether a person is a bona fides applicant (<a href="#">E5.10</a>)?</li> </ul> <p>In pairs, allow 5 minutes to answer the questions.</p>	<p><b>Slide 29</b></p>	

Time	Topic	Resource	Your notes
	<p>Ask a pair to answer the question.</p> <p><b>Question:</b> Based on the information in the application, do you have any concerns about <span style="background-color: black; color: red;">§(2)(a)</span> a being a “bona fides applicant” (<a href="#">E5</a>)?</p>		
10 mins	<p><b>Determining the application</b> <b>Show slide 30</b></p> <p>In pairs, allow 5 minutes to answer the questions. Ask a pair to answer one (or more) of the questions.</p> <p><b>Questions:</b></p> <ul style="list-style-type: none"> <li>• Have all the requirements for the ESWV been met?</li> <li>• If not, list these requirements and the reasons for not having been met?</li> </ul>	<b>Slide 30</b>	

## Review day one

### Topic outcomes

By the end of this topic, learners will be able to recall and consolidate the learning from the course so far.

### Topic resources

Whiteboard markers

### Lesson plan

Time	Topic	Resource	Your notes
30 mins	<p>Use this session as an opportunity to answer any questions learners may have as a result of the day's learning.</p> <p>Brainstorm the class's key learning points from today. You can use the following topics to help generate ideas.</p> <ul style="list-style-type: none"><li>• Remuneration levels and median wage</li><li>• Sustainability</li><li>• Qualification level and experience of applicant</li><li>• Employment is acceptable</li><li>• Labour Market Tests</li><li>• ANZSCO and substantial match</li></ul> <p>Provide an overview of tomorrow, ie after the workshop on Sustainability; we will be working on further case studies in pairs.</p>	<p><b>Whiteboard and markers</b></p> <p><b>Slide 31</b></p>	



## Day two - Case study two

### Topic outcomes

By the end of this topic, learners will be able to apply the end-to-end process when assessing an ESWV application, where there is greater complexity.

### Topic resources

- Facilitator computer and projector
- Participant computers
- ESWV PowerPoint
- Case study two

### Lesson plan

Time	Topic	Resource	Your notes
10 mins	<p><b>Welcome and review</b></p> <p>Welcome the learners back to the workshop.</p> <p>Ask the group to recap what they remember from yesterday. Ensure to include;</p> <ul style="list-style-type: none"><li>• ESWV requirements and conditions</li><li>• Remuneration levels and median wage</li><li>• ANZSCO</li><li>• Financial sustainability and high risk industries</li></ul> <p>Explain that today you'll be looking at two more case studies</p>		

Time	Topic	Resource	Your notes
5 mins	<p><b>Organise class into pairs</b> (see <b>Note:</b> in the Your notes column)</p> <p><b>Hand out case study two</b> 9(2)(a) [redacted] [redacted] 6(c) [redacted]</p>	<p><b>Case study two</b> <b>Slide 32</b></p>	<p><b>Note:</b> Consider reorganising the pairs so that more confident learners are paired with those that require extra support.</p> <p><b>Note:</b> Remind learners, when answering questions about the case study, to summarise and pick out key points from the source information rather than quoting word-for-word.</p>
10 mins	<p>6(c) [redacted] [redacted] [redacted] [redacted] [redacted]</p> <p>Ask pairs to report back.</p> <p>6(c) [redacted] [redacted] [redacted] [redacted] [redacted] [redacted] [redacted]</p>		<p>A Guide for Dairy Farmers <a href="https://www.immigration.govt.nz/employ-migrants/guides/employ-dairy-farm-workers">https://www.immigration.govt.nz/employ-migrants/guides/employ-dairy-farm-workers</a></p>

Time	Topic	Resource	Your notes
15 mins	<p><b>Identity, health and character requirements</b></p> <p>Pop Quiz about health.</p> <p><b>Show slide 33</b></p> <p>Allow pairs 5 minutes to answer the question.</p> <p>Ask a pair to report back.</p> <p><b>Question:</b></p> <p>Has <b>9(2)(a)</b> provided all the required information in relation to identity, character and health?</p> <p><b>Pop Quiz:</b></p> <p>Q. What documents do you need to verify when checking identity?  A. <i>Current passport (the original document or copy) full birth certificate (original, or copy), other checks to confirm ID such as IDme, checking whether INZ has previously scanned the passport.</i></p> <p>Q. When must temporary entry class entry visa holders provide a Police certificate (or similar)?  A. <i>If required, applicants aged 17 and over applying for a temporary entry class visa must obtain a police or similar certificate from:  -Their country of citizenship; and from any country in which they have lived for five or more years (whether on one visit or intermittently) since attaining the age of 17 years (A5.5c.)</i></p> <p>Q. All applicants must have an ASH except in what circumstances?  A. <i>They are entering New Zealand for medical treatment and have been granted a visa for this.</i></p>	Slide 33	

Time	Topic	Resource	Your notes
	<p>Q. How recent should medical evidence (such as medical certificates and X-rays) be at the time of assessment?  A. <i>Less than three months before the date of the application. Or less than three years old if provided previously.</i></p> <p>Q. What is the role of the MA?  A. <i>Consider health information against health requirements and INZ guidelines for health. Give IO's their opinion on the probability that the applicant will or will not meet our requirement for applicants to have an ASH. This includes giving a likely cost for prognosis and treatment.</i></p> <p>Q. What is ORS?  A. <i>Funding that provides specialist services and support to students with the highest needs for special education. Once a student is in ORS, their funding stays with them throughout their schooling.</i></p> <p>Q. What is the role of the HAT?  A. <i>They manage a medical examination from when it starts to the outcome stage.</i></p> <p>Q. What types of things would an immigration officer contact the HAT for?  A. <i>Case specific information, responding to Health Assessment Warnings, following up on a medical examination (if in open state), getting clarification of requested tests, etc.</i></p>		

Time	Topic	Resource	Your notes
5 mins	<p><b>Employment is acceptable - Overview</b></p> <p>As a recap ask the class (without looking at their notes).  <b>Ask:</b> What are the requirements for acceptable employment (<a href="#">WK3.5</a>)?</p>		
15 mins	<p><b>Employment is acceptable – Offer of employment (<a href="#">W2.10.10</a>)?</b>  <b>Show slide 34</b></p> <p>In pairs, allow 10 minutes to answer the questions.  Ask for a pair to answer one (or more) of the questions.</p> <p><b>Questions:</b></p> <ul style="list-style-type: none"> <li>• Does F9(2)(a)'s offer of employment contain all of the required information (<a href="#">W2.10.10</a>)?</li> <li>• From the information you have at hand, would you assess the employer as compliant?</li> <li>• If not, why not?</li> </ul>	<b>Slide 34</b>	
15 mins	<p><b>Employment is acceptable – Genuine, sustainable and fulltime</b></p> <p>As a recap ask the class (without looking at their notes)</p> <ul style="list-style-type: none"> <li>• What sorts of things can you check to determine whether a business is genuine? (Google Maps, Companies Register, etc.)</li> </ul> <p><b>Show slide 35</b></p> <p>In pairs, allow 10 minutes to answer the questions.  Ask for a pair to answer one (or more) of the questions.</p> <p><b>Questions:</b></p>	<b>Slide 35</b>	

Time	Topic	Resource	Your notes
	<ul style="list-style-type: none"> <li>From the information you have at hand can you determine the employment offered to <b>9(2)(a)</b> to be genuine, stable and fulltime?</li> <li>If not, why not?</li> </ul>		
25 mins	<p><b>Employment is acceptable</b></p> <p><b>Show slide 36</b> Talk through information about calculating remuneration in the dairy industry (ensure you highlight how to use maximum hours in the dairy industry and calculating accommodation allowances in your discussion).</p> <p><b>Show slide 37</b> In pairs, allow 15 minutes to answer the questions. Ask for a pair to answer (one or more) of the questions.</p> <p><b>Calculating remuneration in the dairy industry</b></p> <ul style="list-style-type: none"> <li>All employees must be paid the minimum wage for every hour they work – both waged and salaried staff.</li> <li>An employee’s salary or wages cannot be averaged over a season – averaging is capped at a fortnight (or week dependent on pay period).</li> <li>Many farm workers work 11 days on, 3 days off or 12 days on, 2 days off (14 day period) but in some cases the roster period is 8 days on, 2 days off (10 day period) – more difficult to calculate. If it is a multiple of 7, we can work out what the weekly/hourly rate is.</li> </ul>	<p><b>Slide 36</b></p> <p><b>Slide 37</b></p>	

Time	Topic	Resource	Your notes
	<ul style="list-style-type: none"> <li>Accommodation can only be taken into account when calculating minimum wage when it is deducted from the employee's salary and the employee has agreed to deductions in writing. When the accommodation is provided in addition to the base salary, it cannot be taken into account when determining minimum wage.</li> <li>The agreed value of the accommodation can be taken into account when determining market rate, even when it is not deducted from the base salary.</li> <li>Ensure that the accommodation is not overvalued.</li> <li>Instructions state that where a range of hours is given, maximum hours will be used to calculate the remuneration. In the case of dairy, the maximum peak season hours will be used when calculating if above or below minimum wage.</li> </ul> <p><b>Questions:</b></p> <ul style="list-style-type: none"> <li>What is R<sup>9(2)(a)</sup>'s hourly rate (<a href="#">WK3.5.5</a>)?</li> <li>Based on the pay per hour, what is the maximum visa duration <sup>9(2)(a)</sup> have? (<a href="#">WK4.1</a>)?</li> </ul>		
25 mins	<p><b>ANZSCO level and substantial match</b></p> <p>As a recap ask the class (without looking at their notes):</p> <ul style="list-style-type: none"> <li>What is ANZSCO?</li> <li>What is ANZSCO used for?</li> <li>What is a substantial match?</li> <li>What things do you look for when assessing a job description?</li> </ul> <p>Briefly refresh learners about how ANZSCO is accessed and how to</p>		

Time	Topic	Resource	Your notes
	<p>use it.</p> <p><b>Show slide 38</b></p> <p>In pairs, allow 15 minutes to answer the questions. Ask a pair to answer one (or more) of the questions.</p> <p><b>Additional points to cover in the delivery of this session:</b></p> <ul style="list-style-type: none"> <li>the need to look out for wage inflation or recycling when assessing a job offer – refer to the eLearning module</li> </ul> <p><b>Questions:</b></p> <ul style="list-style-type: none"> <li>What ANZSCO level is this role that 9(2)(a) been offered? Is 9(2)(a) role a substantial match?</li> </ul>	Slide 38	
15 mins	<p><b>Employment is acceptable - Market rates for the role</b></p> <p>As a recap ask the class (without looking at their notes):</p> <ul style="list-style-type: none"> <li>What are some considerations when determining the market rate for a role?</li> <li>What are some ways to check the market rate?</li> </ul> <p><b>Show Slide 39</b></p> <p>In pairs, allow 10 minutes to answer the question. Ask a pair to answer the question.</p> <p><b>Question:</b> Does 9(2)(a)s hourly rate meet the market rate for the role?</p>	Slide 39	<p>Essential Skills Visa Assessment Tool <a href="http://thelink/content/inzkit/Pages/verifying-and-assessing.aspx">http://thelink/content/inzkit/Pages/verifying-and-assessing.aspx</a></p> <p>Other sources for checking market rate include:</p> <ul style="list-style-type: none"> <li><a href="http://thelink/content/inzkit/Pages/inz-resources.aspx">http://thelink/content/inzkit/Pages/inz-resources.aspx</a>. Click Market rate Guide</li> <li><a href="http://www.careers.govt.nz">www.careers.govt.nz</a> &gt; search for salary guide</li> <li>Occupation outlook pay scale <a href="http://occupationoutlook.mbie.govt.nz/">http://occupationoutlook.mbie.govt.nz/</a></li> </ul>



Time	Topic	Resource	Your notes
20 mins	<p><b>Requirements to be suitably qualified (WK3.20)</b></p> <p>As a recap ask the class (without looking at their notes)</p> <ul style="list-style-type: none"> <li>• How does ANZSCO link to NZQA levels?</li> </ul> <p><b>Show slide 40</b></p> <p>In pairs, allow 10 minutes to answer the question. Ask a pair to answer the question.</p> <p><b>Questions:</b></p> <ul style="list-style-type: none"> <li>• Is <b>9(2)(a)</b> suitably qualified for the role on offer (<a href="#">WK3.20.1</a>)?</li> <li>• If not, which requirements have not yet been met?</li> </ul>	Slide 40	
10 mins	<p><b>Determining availability of NZ citizens or residents</b></p> <p>As a recap ask the class (without looking at their notes)</p> <ul style="list-style-type: none"> <li>• What are the key requirements when determining availability of NZ citizens or residents (<a href="#">WK3.10</a>)?</li> </ul> <p><b>Show slide 41</b></p> <p>In pairs, allow 5 minutes to answer the question. Ask a pair to answer the question.</p> <p><b>Question:</b></p> <p>Is <b>9(2)(a)</b> job on any of the skill shortage lists?</p>	Slide 41	
10 mins	<p><b>Labour Market Tests (<a href="#">WK3.10.1</a>)</b></p> <p>As a recap ask the class (without looking at their notes)</p> <ul style="list-style-type: none"> <li>• What are the two criteria which are generally part of a labour market test?</li> </ul>	Slide 42	

Time	Topic	Resource	Your notes
	<p><b>Show slide 42</b></p> <p>Give pairs 5 minutes to answer the question. Ask a pair to answer the question.</p> <p><b>Note to Facilitator</b></p> <p>An SMR only is not acceptable evidence. Employer states they have advertised on Fonterra but do not say when or what the details of that listing were. Would not rationalise accepting that.</p> <p>SMR is also cut off – the full SMR asks for a DL which has not been provided. <b>6(c)</b> DL would need to be verified.</p> <p>Also needs to provide evidence of one year of experience as specified in the SMR, despite ANZSCO requirements need to be satisfied PA has the experience claimed so that New Zealanders are not needlessly discounted. Could check AMS to see previous visa history/what PA has been doing.</p> <p><b>Question:</b> Does the advertising for <b>9(2)(a)</b> role meet the definition of a genuine attempt to advertise (<a href="#">WK3.10.5</a>)?</p>		
5 mins	<p><b>Bona fides</b></p> <p><b>Show slide 43</b></p> <p>In pairs, allow 5 minutes to answer the question. Ask a pair to answer the question.</p> <p><b>Question:</b></p>	Slide 43	

Time	Topic	Resource	Your notes
	Based on the information in the application, do you have any concerns about <b>9(2)(a)</b> being a “bona fides applicant” ( <a href="#">E5</a> )?		
20 mins	<p><b>Determining the application</b></p> <p><b>PPI</b></p> <p><b>Show slide 44</b></p> <p>In pairs, allow 15 minutes to answer the questions. Ask a pair to answer one (or more) of the questions.</p> <p><b>Note to facilitator</b></p> <p>Discuss whether a PPI is always necessary or whether a RFI would suffice.</p> <p><b>Questions:</b></p> <ul style="list-style-type: none"> <li>• Have all the requirements for the ESWV been met?</li> <li>• What instructions have not yet been met and what are the reasons for your concerns?</li> <li>• What further information do you want the applicant or their employer to provide?</li> <li>• What do you think the next steps would need to be?</li> </ul>	<b>Slide 44</b>	

# Case study three

## Topic outcomes

By the end of this topic, learners will be able to apply the end-to-end process when assessing an ESWV application, where there is greater complexity.

## Topic resources

- Facilitator computer and projector
- Participant computers
- ESWV PowerPoint
- Case study three

## Lesson plan

Time	Topic	Resource	Your notes
5 mins	<p><b>Hand out case study three</b></p> <ul style="list-style-type: none"><li>• 6(c)</li><li>• 9(2)(a)</li></ul> <p><b>Explain</b> that they will work on the case study activities <b>individually</b>; however, they may ask other class members or the facilitator for guidance if they need help at any stage.</p>	<p><b>Case study three</b> <b>Slide 45</b></p>	<p><b>Note:</b> Allow time for discussion / an explanation after each set of case study questions in case any learners have come up with different answers.</p>

Time	Topic	Resource	Your notes
5 mins	<p>6(c) [REDACTED]</p> <p>[REDACTED]</p> <p>Ask the class to report back.</p>		
5 mins	<p><b>Identity, health and character requirements</b></p> <p><b>Show slide 46</b></p> <p>Allow pairs 5 minutes to answer the question.</p> <p>Ask a pair to report back.</p> <p><b>Question:</b></p> <p>Has <sup>9(2)(a)</sup> [REDACTED] provided all the required information in relation to identity, character and health?</p>	Slide 46	
15 mins	<p><b>Employment is acceptable – Offer of employment</b></p> <p><b>Show slide 47</b></p> <p>Allow 10 minutes to answer the questions.</p> <p>Ask a for a volunteer to answer each of the questions.</p> <p><b>Questions:</b></p> <ul style="list-style-type: none"> <li>• Does the offer of employment contain all of the required information (<a href="#">W2.10.10</a>)?</li> <li>• From the information you have at hand, would you assess the employer as compliant?</li> <li>• If not, why not?</li> </ul>	Slide 47	
15 mins	<p><b>Employment is acceptable – Genuine, sustainable and fulltime</b></p> <p><b>Show slide 48</b></p>	Slide 48	

Time	Topic	Resource	Your notes
	<p>Allow 10 minutes to answer the questions.</p> <p>Ask for a volunteer to answer each of the questions.</p> <p><b>Questions:</b></p> <ul style="list-style-type: none"> <li>From the information you have at hand can you determine the employment offered to 9(2)(a) to be genuine, sustainable and fulltime?</li> <li>If not, why not?</li> </ul>		
20 mins	<p><b>Employment is acceptable</b></p> <p><b>Show slide 49</b></p> <p>Allow 15 minutes to answer the questions.</p> <p>Ask for a volunteer to answer (one or more) the questions.</p> <p><b>Questions:</b></p> <ul style="list-style-type: none"> <li>What is 9(2)(a)'s hourly rate (<a href="#">WK3.5.5</a>)?</li> <li>Based on the pay per hour, what is the maximum visa duration?</li> </ul>	<b>Slide 49</b>	
20 mins	<p><b>ANZSCO level and substantial match</b></p> <p><b>Show slide 50</b></p> <p>Allow 15 minutes to answer the questions.</p> <p>Ask a for a volunteer to answer one (or more) of the questions.</p> <p><b>Question:</b></p> <p>What ANZSCO level is this role that 9(2)(a) has been offered?</p> <p>Is B 9(2)(a)'s role a substantial match?</p>	<b>Slide 50</b>	
15 mins	<p><b>Employment is acceptable - Market rates for the role</b></p> <p><b>Show slide 51</b></p>	<b>Slide 51</b>	Essential Skills Visa Assessment Tool

Time	Topic	Resource	Your notes
	<p>Allow 10 minutes to answer the question. Ask a volunteer to answer the question.</p> <p><b>Question:</b> Does <sup>9(2)(a)</sup>'s hourly rate meet the market rate for the role?</p>		<p><a href="http://thelink/content/inzkit/Pages/verifying-and-assessing.aspx">http://thelink/content/inzkit/Pages/verifying-and-assessing.aspx</a></p> <p>Other sources for checking market rate include:</p> <ul style="list-style-type: none"> <li>• <a href="http://thelink/content/inzkit/Pages/inz-resources.aspx">http://thelink/content/inzkit/Pages/inz-resources.aspx</a>. Click Market rate Guide</li> <li>• <a href="http://www.careers.govt.nz">www.careers.govt.nz</a> &gt; search for salary guide</li> <li>• Occupation outlook payscale <a href="http://occupationoutlook.mbie.govt.nz/">http://occupationoutlook.mbie.govt.nz/</a></li> </ul>
20 mins	<p><b>Requirements to be suitably qualified (WK3.20)</b> <b>Show slide 52</b></p> <p>Allow 15 minutes to answer the question. Ask for a volunteer to answer the question.</p> <p><b>Questions</b></p> <ul style="list-style-type: none"> <li>• Is <sup>9(2)(a)</sup> suitably qualified for the role on offer (<a href="#">WK3.20.1</a>)?</li> <li>• If not, which requirements have not yet been met?</li> </ul>	Slide 52	
10 mins	<p><b>Determining availability of NZ citizens or residents</b> <b>Show slide 53</b></p> <p>Allow 5 minutes to answer the question. Ask for a volunteer to answer the question.</p> <p><b>Question:</b></p>	Slide 53	

Time	Topic	Resource	Your notes
	Is <b>9(2)(a)</b> 's job on any of the skill shortage lists?		
10 mins	<p><b>Labour Market Tests (<a href="#">WK3.10.1</a>)</b>  <b>Show slide 54</b>            Allow 5 minutes to answer the question.            Ask a volunteer to answer the question.</p> <p><b>Question:</b>            Does the advertising for <b>9(2)(a)</b> role meet the definition of a genuine attempt to advertise (<a href="#">WK3.10.5</a>)?</p>	<b>Slide 54</b>	
10 mins	<p><b>Bona fides</b>  <b>Show slide 55</b>            Allow 5 minutes to answer the question.            Ask a volunteer to answer the question.</p> <p><b>Question:</b>            Based on the information in the application, do you have any concerns about <b>9(2)(a)</b> being a “bona fides applicant” (<a href="#">E5</a>)?</p>	<b>Slide 55</b>	
15 mins	<p><b>Determining the application</b>  <b>Show slide 56</b>            Allow 10 minutes to answer the questions.            Ask for a volunteer to answer one (or more) of the questions.</p> <p><b>Questions:</b></p> <ul style="list-style-type: none"> <li>• What requirements have been met so far?</li> <li>• What do you think needs to happen next?</li> </ul>	<b>Slide 56</b>	



## Review day two

### Topic outcomes

By the end of this topic, learners will be able to articulate any questions arising from the case studies and/or live application practice.

### Topic resources

Whiteboard markers

### Lesson plan

Time	Topic	Resource	Your notes
15 mins	Ask each individual / pair / group to tell the class: <ul style="list-style-type: none"><li>• About their application?</li><li>• What they saw?</li><li>• What they did?</li><li>• Any key learning points?</li></ul>	<b>Whiteboard and markers</b>	

## Day three - Live applications with TA – session one

### Topic outcomes

By the end of this topic, learners will be able to apply the end-to-end process when assessing an ESWV application.

### Topic resources

- Facilitator computer and projector
- Participant computers
- Live applications

### Lesson plan

Time	Topic	Resource	Your notes
3 hrs 45 mins	<p><b>Hand out</b> applications to individuals, pairs or to groups of three.</p> <p><b>Explain</b> that learners can raise their hand at any time to ask questions of the TA or the facilitator.</p> <p><b>Explain</b> that each time learners get to a point of wanting to make a determination in AMS they are to stop and seek approval from the TA before proceeding. Explain that this is crucial as the learners do not yet have the authority to make such decisions.</p> <p>If learners get to a point that they have determined that further information is required, write a bullet list of required information, and show it to the TA. Once approved the TA will put the file aside. Provide the learners with a new application to work on.</p>	<b>Live applications</b>	<p><b>Note:</b> Organise the class to work individually, in pairs or in threes. This will depend on the confidence and skill levels of the learners, and the size of the class.</p> <p>If the class is larger, then you may want to organise into threes so that the TA has the ability to have oversight over all applications being processed.</p>

## Review day three

### Topic outcomes

By the end of this topic, learners will be able to articulate any questions arising from the case studies and/or live application practice.

### Topic resources

Whiteboard markers

### Lesson plan

Time	Topic	Resource	Your notes
15 mins	Ask each individual / pair / group to tell the class: <ul style="list-style-type: none"><li>• About their application?</li><li>• What they saw?</li><li>• What they did?</li><li>• Any key learning points?</li></ul>	<b>Whiteboard and markers</b>	

## Day four - Live applications with TA – session two

### Topic outcomes

By the end of this topic, learners will be able to apply the end-to-end process when assessing an ESWV application.

### Topic resources

- Facilitator computer and projector
- Participant computers
- Live applications

### Lesson plan

Time	Topic	Resource	Your notes
6 hrs	<p><b>Hand out</b> applications</p> <p><b>Explain</b> that learners can raise their hand at any time to ask questions of the TA or the facilitator.</p> <p><b>Explain</b> that each time learners get to a point of wanting to make a determination in AMS they are to stop and seek approval from the TA before proceeding. Explain that this is crucial as the learners do not yet have the authority to make such decisions.</p> <p>If learners get to a point that they have determined that further information is required, write a bullet list of required information, and show it to the TA. Once approved the TA will put the file aside. Provide the learners with a new application to work on.</p>	<b>Live applications</b>	

## Review day four

### Topic outcomes

By the end of this topic, learners will be able to articulate any questions from case studies and live applications practice before the course finishes.

### Topic resources

Whiteboard markers

### Lesson plan

Time	Topic	Resource	Your notes
30 mins	<p><b>Ask each individual / pair / group to tell the class</b></p> <ul style="list-style-type: none"><li>• About their applications?</li><li>• What they saw?</li><li>• What they did?</li><li>• Any key learning points?</li></ul> <p>Ask the class if they have any questions before the course finishes</p>	<b>Whiteboard and markers</b>	