

# Global Process Manual

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## Assess Worker Eligibility

### When to use

When a worker eligibility activity has been generated and pulled for assessment

### Role

Immigration Officer

### Context

Employer accreditation applications will be activity-based. Some parts of the application will be automatically assessed, with activities raised for immigration officers to manually assess.

The assessment includes a review of relevant information, as indicated by risk indicators raised by the ADEPT system and Business Rules Engine. Health and Character activities should be assessed in line with other temporary visa SOPs and the ADEPT system user guide.

#### 1. Assess whether the applicant is suitably qualified to do the job where the occupation requires registration

This assessment will be triggered by the ADEPT system determining that the role offered requires occupational registration, and where that an immigrant has not already assessed and accepted the applicant is suitably qualified to do the job as part of a previous application.

- Check that the applicant holds evidence of full or provisional occupational registration for the job they have been offered
- Search the applicant against the relevant publicly available register
- Consider requesting further information from the applicant if you are unable to determine their registration status

If	Then...
The applicant holds full or provisional occupational registration for the job they have been offered	Record this in ADEPT and enter 'Yes' in the instruction met field
The applicant does not hold full or provisional occupational registration for the job they have been offered	Enter 'No' in the instruction met field. Select PPI as the recommended action and provide reasons for the next IO to pick up the PPI activity
It is determined that occupational registration is not required for the job offered	Go to step 2

#### 2. Assess whether the applicant is suitably qualified to do the job

This assessment will be triggered by the ADEPT system determining that the role offered does not require occupational registration, and that an immigration officer has not already assessed and accepted the applicant is suitably qualified to do the job as part of a previous application.

- Check the applicant has provided evidence of the qualifications, work experience, skills or specifications for the job, as listed by the employer, in the application
- Check AMS and ADEPT to see if the applicant has previously provided evidence of their qualifications and experience
- Consider requesting further information from the applicant if additional evidence is required to establish whether the applicant has the qualification or experience claimed (for example, verifiable documents to support a work reference letter)

If	Then...
The applicant holds the qualifications, work experience, skills or specifications for the job  <b>AND</b> The immigration officer is satisfied that the information is genuine	Record this in ADEPT and enter 'Yes' in the instruction met field

<p>The applicant holds the qualifications, work experience, skills or specifications for the job</p> <p><b>AND</b></p> <p>The immigration officer is NOT yet satisfied that the information is genuine</p>	<p>Consider the risk guidance and potential risk treatments for verifying qualifications and work experience in the Verification Toolkit</p> <p>For further advice on appropriate risk treatments, submit a 'risk advice referral' to the Verification Team</p> <p>To request further verification, submit a 'Risk Treatment' to the Verification Team</p>
<p>The applicant does not hold the qualifications, work experience, skills or specifications for the job</p>	<p>Enter 'No' in the instruction met field.</p> <p>Select PPI as the recommended action and provide reasons for the next IO to pick up the PPI activity</p>

**3. Assess whether the applicant has held a work visa as a Primary Sector Trainee in the last 2 years.**

This assessment is triggered by the ADEPT system determining that the applicant has held a Primary Sector Trainee work visa in that last two years.

- Confirm whether applicant holds or has held a work visa as a primary sector trainee (WI18) in the last two years through AMS.
- This visa type will be recorded in AMS as 'Exchange Work' and nationality must be either Chile or South Korea

If...	Then...
<p>The applicant has not held a work visa as a primary sector trainee in the last two years.</p>	<p>Record this in ADEPT and enter 'Yes' in the instruction met field</p>
<p>The applicant has been granted a work visa as a primary sector trainee in the last two years.</p>	<p>Enter 'No' in the instruction met field.</p> <p>Select PPI as the recommended action and provide reasons for the next IO to pick up the PPI activity</p>

**4. Assess minimum income requirement for dependent children of Accredited Employer work visa holders**

This assessment is triggered by the ADEPT system determining or an applicant declaring that they intend to or currently support a dependent child on a student visa with remuneration of below the required threshold

- Accredited Employer work visa holders who wish to support their dependent child's visitor or student visa application, must meet a minimum income specified at V3.10.10 or J8.20
- Confirm that the applicant is intending to support a dependant(s) on visitor or student visa and confirm pay rate. This may include information from application form, EA, and related applications.
- An applicant's remuneration must be within the range approved as part of the Job Check application

If...	Then...
<p>The applicant is not intending to or is not currently supporting their dependent child on a visitor visa or student visa</p> <p><b>OR</b></p> <p>The applicant is intending to or is currently supporting their dependent child on visitor visas and their income is above the minimum income threshold</p>	<p>Record this in ADEPT and enter 'Yes' in the instruction met field</p>
<p>The applicant is intending to or currently supporting their dependent child on a visitor visa or student visa and their income is below the minimum income threshold</p>	<p>Enter 'No' in the instruction met field.</p> <p>Select PPI as the recommended action and provide reasons for the next IO to pick up the PPI activity</p>

**5. Assess whether a holder of a New Zealand scholarship student visa is eligible to be granted an Accredited Employer work visa**

This assessment is triggered if the ADEPT system determines or the applicant has declared that they hold or have previously held a MFAT scholarship student visa

- Confirm type of Student Visa applicant held through and expiry date in AMS, identify evidence of MFAT support letter submitted with application.

If...	Then...
<p>The applicant has never held a MFAT scholarship student visa</p>	<p>Record this in ADEPT and enter 'Yes' in the instruction met field</p>

<p>OR</p> <p>The applicant meets the requirements of U11 instructions for the grant of a further visa</p>	
<p>The applicant does not meet requirements of U11 instructions for the grant of a further visa</p>	<p>Enter 'No' in the instruction met field. Select PPI as the recommended action and provide reasons for the next IO to pick up the PPI activity</p>

**6. Assess whether the applicant is suitably qualified for the job of Chef**

This assessment will be triggered by the applicant declaring that the ANZSCO occupation that matches the job is Chef (351311), or where an Immigration identifies this while processing an Accredited Employer work visa application.

- In addition to holding qualifications, work experience, skills and other specifications listed in the Job Check application, the applicant must also have at NZQF Level 4 or higher, which includes the credit and knowledge requirements of a New Zealand Certificate in Cookery (Level 4).
- Overseas qualifications must be comparable to the standard of the New Zealand qualification. Unless an overseas qualification is listed on the Immigration New Zealand List of Qualifications Exempt from Assessment (Appendix 3), an International Qualification Assessment (IQA) from the New Zealand Qualifications Authority stating the comparable NZQF qualification is required
- Consider requesting further information from the applicant if additional evidence is required to establish whether the applicant has the qualification

If	Then...
<p>The applicant holds a certificate at NZQF Level 4 or higher, which includes the credit and knowledge requirements of a New Zealand Certificate in Cookery (Level 4)</p>	<p>Record this in ADEPT and enter 'Yes' in the instruction met field</p>
<p>The applicant holds an overseas qualification on the Immigration New Zealand List of Qualifications Exempt from Assessment (Appendix 3)</p> <p><b>OR</b></p> <p>an International Qualification Assessment (IQA) from the New Zealand Qualifications Authority stating the comparable NZQF qualification is required</p> <p><b>AND</b></p> <p>The immigration officer is satisfied that information is genuine</p>	<p>Record this in ADEPT and enter 'Yes' in the instruction met field</p>
<p>The applicant holds an overseas qualification on the Immigration New Zealand List of Qualifications Exempt from Assessment (Appendix 3)</p> <p><b>OR</b></p> <p>an International Qualification Assessment (IQA) from the New Zealand Qualifications Authority stating the comparable NZQF qualification is required</p> <p><b>AND</b></p> <p>The immigration officer is NOT yet satisfied that information is genuine</p>	<p>Consider the risk guidance and potential risk treatments for verifying qualifications and work experience in the Verification Toolkit</p> <p>For further advice on appropriate risk treatments, submit a 'risk advice referral' to the Verification Team</p> <p>To request further verification, submit a 'Risk Treatment' to the Verification Team</p>
<p>The applicant does not hold a certificate at NZQF Level 4 or higher, which includes the credit and knowledge requirements of a New Zealand Certificate in Cookery (Level 4), or the overseas qualification does not meet requirements.</p>	<p>Enter 'No' in the instruction met field. Select PPI as the recommended action and provide reasons for the next IO to pick up the PPI activity</p>

**7. Assess applicants who are required to spend time outside New Zealand**

This assessment activity will be triggered by the applicant declaring that they are paid at below the median wage, and the ADEPT system determining them subject to a Stand Down period.

- An applicant is not eligible for a further Accredited Employer work visa if they have held AE work visas based on employment paid below the median years, unless they have spent 12 consecutive months outside New Zealand.
- An applicant's remuneration must be within the range approved as part of the Job Check application

If	Then...
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<p>The employment is paid below the median wage <b>AND</b> The applicant is NOT subject to the stand-down period as set out at WA4.10.10</p>	<p>Record this in ADEPT and enter 'Yes' in the instruction met field</p>
<p>The employment is paid below the median wage <b>AND</b> The applicant is subject to the stand-down period as set out at WA4.10.10</p>	<p>Enter 'No' in the instruction met field. Select PPI as the recommended action and provide reasons for the next IO to pick up the PPI activity</p>

**8. Assess whether the applicant is under 18 years old**

This assessment activity will be triggered by the applicant declaring that they are under 18 years old

- Applications must be signed by the applicant. Where an applicant is under 18 years the applicant will be required to provide permission from a parent that they are allowed to apply for the visa application. This should be in the form of a document that has been uploaded by the applicant on the support documents page.

If	Then...
<p>The applicant is aged under 18, and the application has been authorised by a parent or guardian of the applicant. OR The applicant is aged 18 or over</p>	<p>Enter 'Yes' in the instruction met field</p>
<p>The applicant is aged under 18 and there is not evidence the application has been authorised by a parent or guardian of the applicant.</p>	<p>Enter 'No' in the instruction met field. Select PPI as the recommended action and provide reasons for the next IO to pick up the PPI activity</p>

**9. Assess travel document concerns**

This assessment will be triggered from an SO assessment of the travel documents. If for any reason there are still concerns with the travel document then identify a concern and this will present to the IO who pulls the "purpose-type assessment".

- Refer to verification tool kit for travel document information
- For further advice on appropriate risk treatments, submit a 'risk advice referral' to the Verification Team

If	Then...
<p>There are no concerns with identity or validity of the travel document</p>	<p>Enter 'Yes' in the instruction met field</p>
<p>There are concerns with the applicant's identity</p>	<p>Refer to identity SOP Submit a 'risk advice referral' to the Verification Team</p>
<p>The travel document has expired</p>	<p>Enter 'No' in the instruction met field. Select PPI as the recommended action and provide reasons for the next IO to pick up the PPI activity</p>

END

See Also

- [Assess](#)
- [Assess Job Check Validation](#)

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## Assess Job Check Validation

### When to use

When a Job Check Validation activity has been generated and pulled for assessment

### Role

Immigration Officer

### Context

Employer accreditation applications will be activity-based. Some parts of the application will be automatically assessed, with activities raised by ADEPT for immigration officers to manually assess.

The assessment includes a review of relevant information, as indicated by risk indicators raised by the ADEPT system and Business Rules Engine (BRE).

Health or Character activities should be assessed in line with other temporary visa SOPs and the ADEPT system user guide

#### 1. Assess whether details of the job match those included in the approved Job Check

This assessment will be triggered by the ADEPT system determining one or more details of the job offered are different to the approved Job Check:

- a. Location does not match the approved job check
  - b. Job title does not match the approved job check
  - c. ANZSCO code does not match the approved job check
  - d. Hours of work do not match the range approved in the job check
  - e. Hourly rate is not within the range in the approved job check
  - f. Employer is not the direct employer
- The details of the employment offered must be the same as those approved as part of the Job Check application
  - Compare the information declared in the work visa application form and the information in the employment agreement against the conditions of the Job Check
  - Where the applicant's declaration does not align with the employment agreement or job description, consider requesting further information from the applicant
  - If the applicant's declarations do not align with the proposed employment agreement, consider whether the applicant meets the definition of a bona fide applicant as per immigration instructions E5.1.

If	Then...
The details of the employment are the same as those approved as part of the Job Check application	Record this in ADEPT and enter 'Yes' in the instruction met field
The details of the employment are NOT the same as those approved as part of the Job Check application	Enter 'No' in the instruction met field. Select PPI as the recommended action and provide reasons for the next IO to pick up the PPI activity
ANZSCO code does not match that of the approved Job Check application	<p>Check whether the job description is the same as that submitted with the Job Check application</p> <p>If the job description is not the same as that approved as part of the Job Check application, go to <a href="#">PPI SOP</a></p> <p>If the applicant has declared a different ANZSCO code to the occupation specified in the Job Check application, BUT the job description provided is the same as that in the approved Job Check, record this in ADEPT and enter 'Yes' in the instruction met field</p>

**2. Assess whether the minimum pay rate is at or above the median wage**

This assessment will be triggered by the ADEPT system determining that the pay rate is below median wage, and occupation is not exempt from the median wage threshold or does not meet that sector remuneration threshold.

- The employment must continue to meet all requirements for acceptable employment as specified at WA3.15, including the remuneration thresholds in effect at the time the Accredited Employer work visa application is made.
- Check whether the applicant’s pay rate against the employment agreement and details of the approved Job Check
- Ensure pay rate has been correctly calculated as per immigration instructions WA3.30

If	Then...
The proposed remuneration is above the median wage	Record this in ADEPT and enter ‘Yes’ in the instruction met field
The proposed remuneration is below the median wage, but the occupation is exempt from the median wage threshold AND the remuneration meets the sector threshold specified at WA3.15.1	Record this in ADEPT and enter ‘Yes’ in the instruction met field
The proposed remuneration is below the median wage, and the occupation is not exempt from the median wage threshold OR the remuneration does not meet the sector threshold specified at WA3.15.1	Enter ‘No’ in the instruction met field. Select PPI as the recommended action and provide reasons for the next IO to pick up the PPI activity

**3. Assess whether the employer stated on the employment agreement is the direct employer**

This assessment will be triggered by the ADEPT system or identified by the processing officer while processing the application.

- Check whether the employer on the employment agreement is the same as the employer that holds accreditation and the approved job check
- Check that the employment agreement does not involve the employee being placed in a triangular employment arrangement with another organisation, as defined at WA2.60.15, unless the employer holds High Volume Accreditation – Triangular Employment.
- Consider requesting further information from the employer if it is unclear which legal entity is intended to be the employer as specified in the employment agreement.

If	Then...
The employer specified in the employment agreement is the direct employer	Record this in ADEPT and enter ‘Yes’ in the instruction met field
The employer specified in the employment agreement is not the direct employer	Enter ‘No’ in the instruction met field. Select PPI as the recommended action and provide reasons for the next IO to pick up the PPI activity

**4. Assess whether the employer holds valid accreditation**

This assessment will be triggered when the ADEPT system determines the employer does not hold valid accreditation.

- Check whether the employer holds valid accreditation or has an application for accreditation in progress.
- If it is identified during the processing of the application that the employee will be placed in a triangular employment agreement, ensure the employer holds High Volume Accreditation – Triangular Employment.
- If the employer’s accreditation application has been put on hold or suspended then any job tokens from approved job checks cannot be used and any Accredited Employer work visas may be postponed.
- If the employer’s accreditation has been revoked or has expired then the application may be declined.

If	Then...
The employer holds valid accreditation of the correct type	Record this in ADEPT and enter ‘Yes’ in the instruction met field
The employer does not hold valid accreditation, or the accreditation is not the correct type	Enter ‘No’ in the instruction met field. Select PPI as the recommended action and provide reasons for the next IO to pick up the PPI activity

<p>The employer does not hold valid accreditation, or the accreditation is not the correct type AND The employer has submitted an application for accreditation</p>	<p>Discuss with a Technical Advisor whether it is appropriate to hold the application until a decision is made on the employer's accreditation application.</p>
<p>The employer's accreditation has been suspended, or the employer's accreditation application has been placed on hold</p>	<p>Go to <a href="#">Postpone Accredited Work Visa application</a> SOP</p>

**5. Assess whether the terms and conditions are not inferior to those provided with the Job Check**

This assessment will be triggered by the ADEPT system

- Check the terms and conditions of the employment (other than those specified in the Job Check) are the same as, or more favourable to the applicant than, those provided as part of the Job Check application.
- Compare the employment agreement submitted with the Job Check application with the employment agreement submitted with the Accredited Employer work visa application
- Focus should be given to terms and conditions that are relevant to the objectives of these instructions

If	Then...
<p>The other terms and conditions are the same or more favourable as those provided as part of the Job Check</p>	<p>Record this in ADEPT and enter 'Yes' in the instruction met field</p>
<p>The other terms and conditions are inferior to those in the provided as part of Job Check</p>	<p>Enter 'No' in the instruction met field. Select PPI as the recommended action and provide reasons for the next IO to pick up the PPI activity</p>
<p>The following details of the employment are not the same as those approved as part of the Job Check application:</p> <ul style="list-style-type: none"> <li>• the location of the job</li> <li>• the occupation</li> <li>• the hours of work</li> <li>• the remuneration</li> <li>• the direct employer</li> </ul>	<p>Go to step 1 - Assess whether details of the job match those included in the approved Job Check</p>

**6. Assess whether the proposed employment is allowed under Accredited Employer work visa instructions**

This assessment will be triggered when the applicant has declared that they wish to carry out work that is not permitted under Accredited Employer work visa instructions, including:

Self-employment

Planting, maintaining, harvesting or packing crops in the horticulture or viticulture industries

Foreign crew of fishing vessels

- Self-employment may include working as an independent contractor, under a contract for services, or where the applicant is a director or shareholder of the legal entity providing the proposed employment.
- Guidance around types of work in the horticulture or viticulture industry can be found in Visa Pak 257 and 394.
- Supervisory work in the horticulture or viticulture industries may require consideration of the actual duties undertaken. Consider the risk guidance and potential risk treatments in the Verification Toolkit. For further advice on appropriate risk treatments, submit a 'risk advice referral' to the Verification Team

If	Then...
<p>The proposed employment is not for self-employment, OR to plant, harvest, maintain or pack crops in the horticulture or viticulture industry, OR for foreign crew of fishing vessels</p>	<p>Record this in ADEPT and enter 'Yes' in the instruction met field</p>
<p>The employment is for self-employment OR</p>	<p>Enter 'No' in the instruction met field. Select PPI as the recommended action and provide reasons for the next IO to pick up the PPI activity</p>

<p>To plant harvest, maintain or pack crops in the horticulture or viticulture industry</p> <p><b>OR</b></p> <p>For foreign crew of fishing vessels</p>	<p>next IO to pick up the PPI activity</p>
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**Note:** If it appears the Job Check has been approved on the basis of a job offer that does not appear to meet WA3.15(o), discuss the application with a Technical Advisor

**7. Assess whether the employment is genuine**

This assessment will be triggered when the applicant has declared that they are a family member of the employee. An Immigration Officer may also identify this while processing an application

- Check that the proposed employment is genuine
- Check that the job is real, not false and not fraudulent
- Consider the risk guidance and potential risk treatments in the Verification Toolkit. For further support to undertake appropriate risk treatments, submit a 'risk treatment referral' to the Verification Team
  - Where the pay rate is equal to, or up to \$1.00 above the median wage, or where the pay rate is considerably higher than market rate for this occupation, consider:
    - the industry, employer, job/role and consider risk such as wage/role inflation, genuine job, etc.
- Where the occupation is one of the following roles:
  - Café or Restaurant Manager (141111)
  - Cook (351411)
  - Retail Manager (General) (142111)
  - Retail Supervisor (621511)
  - Hospitality, Retail and Service Managers nec (149999)
  - Consider the industry, employer, job/role and consider risks such as wage/role inflation, genuine job, etc.

If	Then...
The employment is genuine	Record this in ADEPT and enter 'Yes' in the instruction met field
The employment is not genuine	Enter 'No' in the instruction met field. Select PPI as the recommended action and provide reasons for the next IO to pick up the PPI activity
The applicant has provided any information, evidence or submission that was false, misleading or forged, or withheld material information	Consider whether character requirements at A5.1 are still met
The employer has provided any information, evidence or submission that was false, misleading or forged, or withheld material information	Submit a risk advice referral to the Verification Team Also see <a href="#">Revoke Employer Accreditation</a> SOP

END

See Also

- [Assess](#)
- [Assess Worker Eligibility](#)