

SUBMISSION ON THE SUITE OF PROPOSED CHANGES TO THE ESSENTIAL SKILLS VISA: DISCUSSION DOCUMENT

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HORTICULTURE NEW ZEALAND

Horticulture New Zealand (“**HortNZ**”) welcomes the opportunity to make a submission the suite of proposed changes to the Essential Skills Visa: Discussion Document.

HortNZ is an industry organisation representing New Zealand’s 5,500 commercial fruit, vegetable and berry fruit growers in NZ, and employing over 60,000 people, many in short-term migrant positions to supplement the workforce during peak seasons.

INTRODUCTORY COMMENTS

Horticulture New Zealand welcomes the opportunity to make a submission to the Ministry of Business, Innovation and Employment on the discussion document on the Suite of Proposed Changes to the Essential Skills visa.

HortNZ recognises that these changes have been agreed to in principle by Cabinet.

In principle, HortNZ submits in support what MBIE is trying to achieve, namely an Essential Skills policy that:

- enables employers to use low-skilled migrants to fill a genuine gap
- where there are New Zealanders with suitable skills, they are considered first for employment and training

- reinforces the temporary nature of the Essential Skills visa and ensures settlement expectations are clear for temporary migrants

The nature of work in the horticulture sector is seasonal, with these seasons varying between crops and regions. As such, Horticulture New Zealand would welcome the opportunity to meet with MBIE to discuss the best ways to identify 'seasons' within the industry in order to define the length of seasons.

CONSULTATION QUESTIONS: PROPOSAL 1

What impacts or implications do you foresee from defining lower-, mid- and higher- skilled Essential Skill migrants in this way? Why?

HortNZ considers the introduction of remuneration levels to categorise jobs into three skill levels sensible and appropriate. It will act to indicate whether an occupation is skilled, semi-skilled or low-skilled. This will make some progress towards improving the somewhat blunt instrument that is ANZSCO.

The use of salary thresholds will, over time, need to be monitored for any unintended consequences, which are difficult to foresee at this consultation stage. HortNZ submits that there must be flexibility associated with the introduction of remuneration bands.

HortNZ submits that the integrity of immigration policy will be jeopardised if the remuneration thresholds are manipulated. HortNZ therefore submits that employers with a proven history of acting responsibly should benefit from increased use of existing 'approved and accredited employers' programmes to enable recruitment from the international labour market.

Where possible provide information about the impact on specific occupations or sectors.

Many of the positions that require a seasonal migrant workforce in the horticulture industry are particularly skilled. An example of this is the seasonal demand for tractor operators or spray operators. As technology advances, these machines are brought over from Europe and as such NZ lacks the skills within the workforce to operate these machines. The intense work requirement of the seasons means that employers do not have time to train unskilled workforce, or that available labour in NZ lacks the prior training to operate tractors. As such, migrants brought over for this work would be in the higher pay brackets although perhaps not necessarily within the ANZSCO tiering. This is an example of a positive impact of the proposed definitions.

CONSULTATION QUESTIONS: PROPOSAL 2a

What impacts or implications do you foresee from the proposed maximum duration of three years for lower-skilled Essential Skills visa holders? Why?

HortNZ submits that the introduction of a maximum duration emphasises the temporary nature of Essential Skills visas and therefore supports this.

It also provides an incentive for employers to provide upskilling and training for these employees which we consider to be a positive outcome.

PROPOSAL 2B

What impacts or implications do you foresee from the proposal to introduce a stand down period for lower-skilled Essential Skills migrants? Why?

Horticulture is a labour intensive industry and as such will be adversely affected by the proposed stand-down period as the demand for low-skilled workers will likely continue to be unmet by the local labour market.

HortNZ submits that employers will be met with increased administrative costs associated with the need to source, employ and train migrant workers when the same workers are unable to return.

Although some work within the horticulture sector may be considered low-skilled, the ability to reemploy the same migrants for each peak season ensures a workforce that can be ready to 'hit the ground running' when demand for ready staff is high.

PROPOSAL 3

What impacts or implications do you foresee from the proposal to remove the ability for lower-skilled Essential Skills visa holders to bring their partners for the length of their Essential Skills visa? Why?

This proposal requires partners to meet the visa requirements in their own right – whether for the same visa type or an alternative.

HortNZ submits that this further enforces the temporary nature of the visa and is therefore supports this proposal.

However, HortNZ submits that MBIE must consider the unintended consequence that the inability to bring partners is that low-skilled migrant workers will see NZ as a less desirable place to work for short period of time.

PROPOSAL 4

What impacts or implications do you foresee from the proposal to remove the ability for lower-skilled Essential Skills visa holders to bring their children to New Zealand for the length of their Essential Skills visas? Why?

This proposal requires children to meet the visa requirements in their own right – whether for the same visa type or an alternative.

HortNZ submits that this further enforces the temporary nature of the visa and is therefore supports this proposal.

However, HortNZ submits that MBIE must consider the unintended consequence that the inability to bring children is that low-skilled migrant workers will see NZ as a less desirable place to work for short period of time.

PROPOSAL 5

What impacts or implications do you foresee from the proposal to reinforce that Essential Skills visas for seasonal work are only granted for the length of the season and that the offer of employment must match the length of the season? Why?

- **Are there any season occupations which should be added or removed from this list? Why?**

- **If you employ or represent a sector with seasonal staff:**
 - **What are the occupations of the seasonal staff that you are commenting on?**
 - **For each of the occupations that you have identified, what is the typical period that you require seasonal staff to cover (e.g. the peak of the season)?**

Horticulture New Zealand is pleased to see horticulture workers listed in the seasonal occupations list that would be granted discretion in regards to the length of a 'season'. This acknowledges that seasons within the industry vary across regions as well as crops. Not only this, but a crop may have several 'peaks': harvest, as well as pruning or thinning, for example.

HortNZ would be pleased to sit down with MBIE to identify the occupations of seasonal staff and outline the typical periods that these staff cover. HortNZ would be happy to facilitate MBIE meeting with specific sectors for more indepth information of their needs.

CLOSING COMMENTS

Horticulture New Zealand would welcome the opportunity to discuss with MBIE the complexities of seasonal employment in the horticulture sector. We believe that by meeting we would be able to explain our sector with more clarity than the submission process allows.

HortNZ acknowledges the consultation process that MBIE and Immigration NZ have undertaken. HortNZ were present at the presentation to the BusinessNZ AIG.

Kind regards



Mike Chapman
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Horticulture New Zealand

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