



## COVERSHEET

<b>Minister</b>	Hon Michael Wood	<b>Portfolio</b>	Immigration
<b>Title of Cabinet paper</b>	Immigration Rebalance- options for employer-assisted workers and partners	<b>Date to be published</b>	12 July 2022

### List of documents that have been proactively released

<b>Date</b>	<b>Title</b>	<b>Author</b>
December 2021	Immigration Rebalance- options for employer-assisted workers and partners	MBIE
December 2021	SWC-21-MIN-0221	Cabinet office
December 2021	CAB-21-MIN-0554	Cabinet office

### Information redacted

**YES / NO** [select one]

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# Cabinet

## Minute of Decision

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### Immigration Rebalance: Options for Employer-Assisted Workers and Partners

Portfolio                      Immigration

On 20 December 2021, Cabinet:

- 1        **noted** that in July 2021, Cabinet:
  - 1.1      agreed to rebalance immigration settings by pursuing a lower overall volume of migrants and improved composition of temporary and skilled migrants, compared to the pre-COVID-19 trajectory;
  - 1.2      invited the Minister of Immigration to report to the Cabinet Economic Development Committee (DEV) on settings for lower-skilled migrant workers, partners and currently onshore migrants, and on skilled residence pathways;

[CAB-21-MIN-0279];
- 2        **noted** that in September 2021, Cabinet agreed to implement the 2021 Resident Visa, addressing issues relating to onshore migrants [CAB-21-MIN-0359];
- 3        **noted** that the Rebalance proposals will give effect to six significant principles, which are that:
  - 3.1      employers wishing to employ migrants at lower pay and lower skill levels should recruit from amongst the temporary migrant workforce available onshore with open work rights;
  - 3.2      offshore recruitment should be primarily limited to higher skilled and higher paid roles where the migrant intends to make a life in New Zealand;
  - 3.3      Confidential advice to Government
  - 3.4      the onus of proof and assessment of need shifts from job-by-job assessments to sector workforce needs as a whole, and the actions of industries in meeting this need where sector coordination is feasible;
  - 3.5      employing any migrants is a privilege that can be lost if minimum standards are not met;

- 3.6 any changes to immigration settings should fit with the Accredited Employer Work Visa framework which puts New Zealanders first for jobs (employer gate, job gate, migrant gate), and seek to simplify visa settings wherever possible for both ease of understanding and faster decision-making;
- 4 **agreed** to an Immigration Rebalance package, including six key policy changes:
- 4.1 a new pay threshold set at the median wage for employer-assisted visas (unless an occupation is exempted);
- 4.2 a green list which will facilitate easier entry for specified high skilled or hard to fill and high national importance roles;
- 4.3 Confidential advice to Government  
[REDACTED]
- 4.4 a new framework for sector agreements in a small number of sectors where there is a short-term or ongoing need for capped access to lower skilled migrants;
- 4.5 restricting work rights of most partners of migrant workers to roles they qualify for in their own right, but allowing them to work less than 30 hours a week;
- 4.6 requiring all employers to be accredited to employ any migrant workers including open work rights visa holders;
- 5 **agreed** that Industry Transformation Plans will inform future iterations of the green list and sector agreements where there are relevant immigration levers;
- 6 **noted** that in order to achieve the Rebalance goals, work is also progressing on:
- 6.1 creating bespoke Pacific programmes and access;
- 6.2 changing international student visa settings (for joint report-back with the Minister for Education in March 2022);
- 6.3 improving and aligning skilled residence pathways;
- 7 **noted** that decisions about Step 3 of the Reconnecting New Zealanders plans will determine timing of the Rebalance;
- 8 **agreed** that the Rebalance package is in place no earlier than July 2022, and subject to Reconnecting New Zealanders plans;
- 9 **agreed** that if decisions are taken to open borders to an increased number of workers and students ahead of July 2022, that immigration settings before July will include:
- 9.1 expanding entry to temporary workers if they are taking up roles paid at 1.5 times the median wage;
- 9.2 extending class exceptions for seasonal and other critical roles below 1.5 times the median wage;
- 9.3 larger exceptions for international students at a capped volume, and in line with decisions about student visas to be taken as part of the Rebalance in March 2022;
- 10 **agreed** that when the border exception criteria for critical workers is expanded to 1.5 times the median wage, this will also become the threshold for family reunification exceptions;

- 11 **agreed** that workers entering under these settings are not considered to be critical workers eligible for the 2021 Resident Visa;
- 12 **noted** that there are a number of implementation details to work through to introduce the Rebalance and the parallel temporary work visa changes from July, including introduction of the Accredited Employer Work Visa;
- 13 **noted** that some of the previously agreed elements of the Accredited Employer Work Visa will no longer be required, such as the strengthened Labour Market Test to be implemented by the Ministry of Social Development [DEV-19-MIN-0229];
- 14 **agreed** that limited stakeholder consultation will be conducted with selected peak bodies to support further development of the Rebalance package from January 2022;
- 15 **invited** the Minister of Immigration to report back to DEV:
- 15.1 in March 2022 with detailed proposals and named occupations for the green [REDACTED] [REDACTED] **Confidential advice to Government** lists, proposed industries to pursue sector agreements for, and updated implementation plans for the Rebalance settings;
- 15.2 in June 2022 with specific sector agreement proposals, and recommendations on skilled residence pathways;
- 16 **noted** that the Ministry of Business, Innovation and Employment will need to work with relevant portfolio agencies to prepare detailed proposals and progress sector agreements;
- 17 **directed** the Ministry of Business, Innovation and Employment and Ministry of Education to report to the Minister of Education and Minister of Immigration by 30 June 2022 on the role of skill shortage lists in domestic skills development and training.

Michael Webster  
Secretary of the Cabinet