

Submitter information

Please provide your name and phone number, and preferred email address for contact if it is different from the one used to send this form:

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In what capacity are you providing feedback?

e.g. on behalf of: your company, the company you work for, an industry organisation, a union, a licensed immigration adviser etc.

Temporary migrant workers in Aged Care facility

If you are representing a company or group, what is the name of that group?

N/A

What industry or industries does that group work in?

Aged Care Industry

In your company or industry, what are the most common occupations for migrant workers?

Caregivers

What visa categories are commonly used by those workers?

i.e. resident visa, Essential Skills work visa, Work-to-Residence work visa (under the Talent or Long Term Skill Shortage List categories), Post-Study work visa (open or employer assisted), open work visa.

Essential Skills visa, Partnership Visa and Student visa

Only answer the following questions if you directly employ migrant workers:

How many migrant workers do you currently employ? (Refer to the visa categories in the question above)

Out of 46 Caregivers, there are 24 that are on temporary work visas, over 50% is affected

Have you supported an Essential Skills visa application for any of these workers?

Yes they have

Using wage or salary information to help determine skill level and access to Essential Skills migrants

Proposal 1: Introduction of remuneration thresholds to determine skill levels and associated visa conditions for Essential Skills visas

Consider the proposal of aligning the remuneration thresholds for the Essential Skills visa with the remuneration thresholds for the Skilled Migrant Category.

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

Give details of the occupations or sectors and wage or salary levels you are thinking of.

- *Introduction of remuneration thresholds does not help caregivers as they were never classed under skilled job. This is sad to know that even caregivers holding diploma levels of qualification and years of experience, the government does not recognize their contribution to the industry.*
- *Many times the immigration contact centre had been contacted to search for a pathway to residency if there are certain years of experience with qualification in caregiving jobs but it has always been turned down as an un-skilled employment. Even a Ministerial Direction had been requested but still no recognition given by the government*
- *Caregivers should have a pathway to residency especially after the introduction of wage increase to the industry. Long term migrants need to be valued as they have been filling in the gaps the industry needs.*
- *It would be ideal to classify Caregivers under ANZSCO Skill level 3 if they have NZ Experience for over two years and are at level 3 or above qualification. This should allow Aged Care Industries to support Work to Resident visas and to help with staff retention.*

Reinforcing the temporary nature of the Essential Skills visa and managing the settlement expectations of temporary migrants

Proposal 2a: Introduction of a maximum duration for lower-skilled Essential Skills migrants

Consider the option of a three years for a maximum duration for lower-skilled Essential Skills visas.

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

Give details of the occupations and industries you are thinking of.

The staff had conducted a meeting with the Temporary work visa holders to discuss how this proposed policy will impact them and their families. Below are some of their feedbacks:

- Three years maximum duration has created a sense of uncertainty, financial and emotional stress especially when it is a primary source of income for the family;*
- Feel betrayed and slaved that straight after wage increase announcement for caregivers, a policy has been proposed for maximum duration of three years. That shows that over that three year period, all the temporary migrant workers will be replaced by a resident who would not work on the wages we have been working for so many years;*
- Feel been cheated by introduced to “Health Service Management – Level 7” study because Nursing Council has declined applications as this study has no scope. This study does not lead to a pathway for residency. They could have spent that same amount of money (NZD\$14,000 - \$20,000) to settle in another country that values the skills and experience. If it wasn't for the false pathway to residency study, that same dollar value could have been spent on becoming a registered nurse in NZ as some already hold qualified degree in nursing from their originating countries;*
- Some temporary migrants employed are the only bread winners for their family and the proposed policy has been very stressful as to how they will support their loved ones and what will happen during the stand down period. Some had to take huge loans in order to make it to New Zealand to study and settle. Three years is not enough to support their parents to pay off these loans;*
- Those that have been here for five years or even close to 10 years are worried because they have bought homes or are in process of buying their first home but do not qualify under the proposed special residency pathway policy for South Island. This is due to their visas converted under partnership of an essential skills visa thus they do not meet the criteria for continuous five years essential skills visas. That means after spending more than five years (collective essential skills visas i.e. main applicant and partnership), just like people who do qualify under the special south category, they will be sent home after three years!;*
- Sadly, after spending more than five years caring for the respected residents of this country, it is time to be chased out for being over the qualifying age to apply for special pathway for residency for South Island contribution. It is devastating to live in Christchurch for over five years and never being able to find a pathway that leads to residency. Suddenly there is an introduction to recognizing people over five years and a disqualification of age knocks the door;*

- *Those that are employed for over a year at The aged care facility had become well settled and have brought their families over. All their hard work, time, effort and dreams are shattered for starting a family here in Christchurch; and*
- *Also for those that have been employed over five years and have children will need to return to their countries by end of next year or when their visa's expire, because they cannot afford to pay international student fee for their children despite maximum three years duration.*
- *Close to 50% of caregivers at The aged care facility are on temporary work visa. After going through the proposed policy and through some direct discussions, The aged care facility s can lose out on half of its caregivers over a period of a year to three years;*
- *Most of our temporary essential skills, partnership visa dependant on essential skills visa and students are stressed, and it is our responsibility to make them feel valued for they are well trained and experienced. Our residents appreciate the high standard of care and rich culture they bring with them; and*
- *It is truly devastating listening to how the proposed policy would affect most of our caregivers, it would have been ideal for Aged Care Facilities to support "Work to Residents Visa" for those already employed at The aged care facility as these people have been working on low wages for so long and have gained experience and qualification within New Zealand that Aged care industries need.*

Proposal 2b: Introduction of stand down period for lower-skilled Essential Skills migrants

Consider the option for a year-long stand down period following the maximum duration for lower-skilled Essential Skills visas.

What impacts or implications do you foresee from these proposed changes?

Give details of the occupations and industries you are thinking of.

- *Stand down period means that we have no source of income for our family. It is hard enough to find a job back in our originating countries especially when we have lost connections over the years. For years we have sacrificed our retirement benefits contributions and our parents have given up their retirement savings to help us prosper in our career only to be told to leave New Zealand anytime soon (i.e. availability of a resident to do the job or be it the stand down period*

- *If the staff were aware this policy would be implemented especially the stand down period, they wouldn't have spent so much money time and effort into coming to New Zealand in search of a better life. Stand down period should not be applicable to staff already employed.*
- *It seems fair to apply a stand down period but for those that have not entered the country for they would be aware of the consequences of coming to New Zealand and to be able to calculate the risks.*
- *Stand down period seems unjustified to all staff employed currently at The aged care facility as it is their primary source of income. This would also mean for the business that we should not invest in our staff because they will need to leave the country after three years!*
- *Despite the stand down period, some of our very experienced workers that have been employed for five or over five years will need to leave the country by next year due to being on partnership visa essential skills support and because they cannot afford to pay international student fees for their children. The policy does not seem to support the variety of temporary workers at The aged care facility*
- *It is devastating enough for the staff to know they are on essential skills visa and as much as they love being a caregiver (Not everyone is cut out to be a caregiver); they are up for the expenses of applying for visa renewal every year. Caregivers are still hoping that the Government will recognize their talent. In addition, they will be up against a compulsory stand down period, this will not only demotivate them in doing their jobs but the residents will not be happy knowing they will lose the people who has been looking after them for years.*

Proposal 3: Require the partners of lower-skilled Essential Skills visa holders to meet the requirements for a visa in their own right

Consider the proposal to require the partners of lower-skilled Essential Skills visa holders to meet the requirements for a visa in their own right.

What impacts or implications do you foresee from these proposed changes?

Give details of the occupations and industries you are thinking of.

- *Those that have partners are either supported through partnership visa or are being the main applicant to support their spouse. This would mean either one or both of them will have to return to their originating countries. Again it boils down to destruction to families that have well settled in the country.*
- *We have lost connections with the countries we come from and would be lost without a source of income, plus will have to start our lives all over again. If we return to our*

originating countries, we will bring shame to our families and be treated as an outsider. If the government is not supportive of our contributions to the economic growth or for being obedient tax payers, than please consider our plea under humanitarian grounds.

- This affects close to 30% of staff on temporary visa at the aged care facility as either they are working for years under partnership visa supported by their spouse as main applicant, or they are supporting their spouse being the main applicant for the essential skills visa. Due to the policy, if either of the companies cannot qualify to support a standalone essential skills visa, they will have to leave the country.*
- Again this would lead to losing out on years of experience and qualification the staff bring to our industry. It almost has the same consequences as the Stand down Period proposed policy, and, broken families, long distant relationships, stress, fatigue etc...*
- It is not advisable to imply this policy to the migrants already employed, but can be effective for new migrants who are not in the country yet.*

Proposal 4: Require the children of lower-skilled Essential Skills visa holders to meet the requirements for a visa in their own right

Consider the proposal to require the children of lower-skilled Essential Skills visa holders to meet the requirements for a visa in their own right.

What impacts or implications do you foresee from these proposed changes?

Give details of the occupations and industries you are thinking of.

- Due to this proposal of a stand-alone visa for dependants, staff will have to return to their originating countries as they cannot afford to pay international student fees. These will most likely be by end of next year. Most staff have calculated number of days left before they leave the country and it's not fair to have that feeling of insecurity around the children who consider NZ to be their home.*
- Some children were born in New Zealand but if the policy is implemented, these children will have to go to a country they have never seen.*
 - Those that have children are the ones employed by the aged care facility for over a number of years. This will have a huge impact on loosing staff as they will have to return to their originating countries to be able afford their children's study. Again this has the same consequences as the Stand down Period proposed policy, and, broken families, long distant relationships, stress, fatigue etc...*
 - It is not advisable to imply this policy to the migrants already employed, but can be effective for new migrants who are not in the country yet.*

Reinforce that Essential Skills visas should only be granted for the period for which the employment is offered

Proposal 5: Make it explicit how the 'period of employment' condition applies to seasonal work

Consider the option to reinforce that Essential Skills visas for seasonal work are only for the length of the season and that the offer of employment must match the length of the season.

What impacts or implications do you foresee from these options?

Give details of the occupations or sectors you think are likely to be affected.

n/a

Consider the list of seasonal occupations being considered.

Are there any seasonal occupations that should be added or removed from this list? Why?

n/a

Consider the list of seasonal occupations being considered.

If you employ seasonal staff, or represent a sector with seasonal staff:

- What are the occupations of the seasonal staff within the sector 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)?

n/a