

## 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:

s 9(2)(g)(i), s 9(2)(a)

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.

On behalf of the company I own

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

Wilding Dairies Limited

What industry or industries does that group work in?

Dairy Industry

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

Farm workers from Farm Assistants to Managers

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.

Resident Visa and Essential Skills work visa Post Study work visa and Long term skills shortage list

**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)

6

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

Yes

## 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.

Dairy Industry

I believe this is essential, I believe that migrants should be paid fairly and at market rate for the job they are doing and that the pay should be subject to the tax at the normal rate defined by inland revenue. I am in favour of remuneration thresholds being linked to visas so that all employers have to pay fairly and all workers contribute the right amount of their salary in tax.

I do not wish to discuss salaries due to confidentiality and respect of my employees but I believe federated farmers and dairy NZ can provide guidance on what the standards should be. When defining salaries I believe that some thought should be given to region or size of farm. For example a farm manager of a 250 cow farm versus a 1800 cow farm whilst both farm managers will have completely different roles and salaries due to the complexity of the roles such as staff management etc.

## 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.

In regards to Farm assistants / assistant herd managers and Herd Managers in the Dairy Industry

I disagree with this as some people are well suited to the lower skilled essential skill position and are great assets in these roles but by putting a time limit on their visa you de value them and put a limit on their heads. One could argue they are blocking the role being available for a New Zealand resident however many residents actually start at a higher level due to being bought up on a farm or progress very quickly out of this role after one year. I have yet to receive even one application from a new Zealand resident that wants a lower skilled role and wants to commit to my business for more than a year. However the reality is my organisation is like a triangle of positions and there is only one manager per farm and these lower skilled positions are higher in number but with a very limited number of residents to fill them.

It negatively impacts me when people leave after one year employment because there are 4 seasons and it takes at least one season to train someone in the basics so we really try our best to ensure our lower level team members are a mixture of multiple years' experience. If no one at this level ever had more than 3 years' experience then we would be constantly see a revolving door of new immigrants with no skills having to be accepted and trained up. I would rather have the flexibility to keep an employee who is good at their job and simply do a labour market test to see if a resident is available rather than have that employee expire out only for me to have to take a new immigrant that's eligible because no residents are available.

If there was a large number of residents available and willing to commit and fill these roles then I think the maximum duration would be a great idea however ever labour market test I do or job advert I place shows me there simply are not enough residents available for the number of lower skilled roles.

*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.

**Dairy Industry**

I disagree with this the most. Immigrants commit to a country for a period of time, add to the industry and our businesses and local community and help it grow only to have to stand down after a certain period. It's simply unfair treatment overnight they would lose their home and job and the country they live in. For what? To give another immigrant a chance at the same role and have the same thing happen to them?

Due to the number of Jobs in the Dairy industry and the lack of New Zealanders available to fill them we simply must make New Zealand an attractive place to work for immigrants. Immigrants can work all over the world. They have choices. We need them to choose New Zealand for Dairy work as they are an essential part of the Dairy industries success.

Immigrants are an asset to us however it must be met with restrictions such as labour testing the market for new Zealand residents when their visa is due for renewal or they seek a new visa type so that having New Zealand residents employed is the priority. If there are no residents available what would be the benefit to them having a stand down period I see no benefit to any party including us the immigrant in question or immigration new Zealand.

*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.

Dairy industry

For a long term commitment to the dairy industry a good partner is essential, every role in our business is demanding, we don't need the partner to have the same requirements as the person whom is employed. In fact often a different skill set complements the farmer.

What's important is that we should remove as many barriers as possible to the partner visa requirements because we are not employing them and their role is vital.

In this industry we are at the demands of the weather and animals which means that our partners often provide support in a way that had we worked in another industry we would not require. The roles in the dairy industry are often not 9-5 40 hours a week and not located in cities. There for partners being present is almost essential to help run a house hold and provide support, even something as simple as purchasing bread is not a 5 minute trip and can take a minimum 30min round trip, not to mention a supermarket shop to feed yourself often farms are about an hour each way, doing all of this on top of a 50-60 hour week ???

Outside of the dairy industry for roles that are 40 hours a week 9-5 this may work but within the dairy industry with the restrictions of the roles I believe we should be supporting partner applications as much as possible.

*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.

There are too many immigrants living oceans apart from their children. If the immigrant qualifies for the visa please let the child have a visa if the child is their biological / legal child.

The fact that you would even suggest they might have to meet requirements in their own right is heart breaking. If they are legally a child and a biological or adopted child of the person then please understand the impact of not having them live with their parent.

I speak to this on a personal note a daughter of an immigrant whom worked and lived overseas when I was younger. My parents loved each other but due to the lack of work in Ireland my dad worked and lived in England for some of my childhood.

There are psychologically negative impacts to children not living with their parents and or seeing their parents on a regular basis if you need a reference simply check custody laws.

Why would New Zealand immigration even want to consider putting in place barriers to hard working parents being with their children?

I employ a new Zealand Resident and he has children who are a vital part of his life. Why would we not allow immigrants the same basic human right? Why would we put the children in a position of having to meet requirements?

The concept makes me sick, we should be doing our best to keep the worlds families together not ripping them apart regardless of race.

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## 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.

Department of Labour restricts Dairy farmers from using seasonal contracts. Immigrants should have a right to a contract for permanent non seasonal employment. This is to stop bad employers abusing the position.

To show commitment to the new Zealand residents that may become available for a role whilst the immigrant is employed when the immigrant's visa expires after 3 years then a labour market test should be done.

A farming season is 12 months or can be broken into 3 seasons. There are minimal reasons why a farmer would need to offer a fixed term. Some are valid such as only requiring the person to be employed during the busy season.

The majority of positions would be long term and in line with department of labour should be permanent roles. Linking the contract and the visa can simply be done with a clause in the employment agreement that states must have valid working visa at all times otherwise the contract will cease.

We do not allow employers to dictate the period of time of employment on a permanent position so should not allow this to happen because immigrants will be abused, held to ransom over conditions and pay.

Consider the list of seasonal occupations being considered.

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

No comment I do not employ seasonal employees.

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)?

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