

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.

On behalf of the organisation

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

Spectrum Care

What industry or industries does that group work in?

Disabilities Service Provider (Aged and Disabled care sector)

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

Community Support Workers

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

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)

130

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-ski led Essential Skills migrants in this way?

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

The proposed changes to the Essential skills visa, defining lowe /mid and higher skills levels, will not currently impact the length of visa for the majority of operational (Community Support Workers) roles. These roles typically are only granted 1 year s visa, as it is considered a lower skilled (ANZCO level 4-5). Under the proposed changes, the ANZSCO skill level given for this group will prevent any of our migrant staff from ever getting out of the lower Essentials skills bracket, i.e. they will only ever attain a 1 year visa, and this will also mean that the proposed changes will now also prevent them from bringing their partner's and/or children.

With the pay equity changes over the next 5 years, some of the more qualified and experienced migrant staff will move into the mid-level remuneration tier (\$23.49 - \$35.24), however if the ANZSCO skill level remains at 4 or 5, regardless of their pay, they will stay at the low Essential skills visa tier with no pathway to the mid-tier.

For our organisation, and possibly the disabilities/care sector in general, this will mean that staff on low essential skills work visas cannot be factored into long-term plans and will require perennial recruitment. The labour market testing associated with the Essential skills visa will continue to be a significant cost and time consuming necessity as we are not able to attract and recruit suitable New Zealand Citizens and residents. As it stands this is a significant difficulty, and not just limited to remuneration reasons but also our minimum requirements for the role (clear police vetting and CYFS check, full driver's licence, shift availability and working sleepovers, computer testing, and interview process).

Moreover, there will be several migrant staff in our organisation, and presumably in other care sector providers, who have been on recurring Essential skills work visas for several years. These workers play a very important part in an organisations such as ours, and more importantly, to the lives of the people they support.

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.

As per our response to question one, our operational staff (Community Support Workers) fall into the ANZSCO category of level 4 and 5 and therefore have no pathway to mid-tier Essential skills visa and/or skilled migrant category under the proposed changes. Any staff, whether on low essential skills work visa, residents or NZ Citizens, who have worked for our organisation for three years or more become very valuable to us, and more importantly the people that they support. Therefore, the proposed change will consequently mean that there will no way for us to retain these staff, resulting in loss of experience, costs in training and recruitment, and fundamentally loss of relationship built with our supported people, some of whom rely on heavily on routine.

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.

Once the stand-down period is triggered and the staff member has to leave the country, it is highly unlikely that they will be able to return to the previous role because they will no longer meet one of the minimum requirements i.e. work eligibility. As stated above, this impacts our ability as an organisation to plan long-term with our workforce and our service delivery, as at present we are finding it very difficult to attract, recruit and retain local labour.

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.

The proposed changes could potentially make working with our organisation not a viable option for many of our current staff on low essential skills work visas, because if those effected are no longer able to support their partners under partnership visa then a role such as a Community Support Worker may no longer be attractive.

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.

We believe the proposed changes will significantly impact staff on lower Essential skill visa such as Community Support Workers, as those who brought their children may not have an option but to leave the organisation because there is no pathway to move to mid-tier as they are only considered as ANZSCO level 4. This will bring about an increase in turnover and attrition and again will impact our workforce long-term planning.

Additional Comments:

One of the biggest implications for us as an organisation is that the ANZSCO skill level for the Community Support Worker role is categorised as a level 4, which is low skilled. We believe that this role should be reviewed by ANZSCO and or INZ as the minimum requirements for the role is comparatively high to other industries which are classified under the same skill level. In addition, the skill level and experience necessary of this role has already been acknowledged by the change in the pay equity. This change however, has not been reflected in the ANZSCO skill level. We believe the role of our Community Support Workers make genuine positive contributions to New Zealand society, by caring for the vulnerable individuals who require support, and our migrant staff play an important supplementary role to the delivery of this service.

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.

We do not have any seasonal workers and therefore this is not applicable to our organisation.

Consider the list of seasonal occupations being considered.

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

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)?