



**MINISTRY OF BUSINESS,  
INNOVATION & EMPLOYMENT**  
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# Employer System Process Model

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## 1 System Process Model for Employer Accreditation applications.

The below diagrams show how the system will progress an accreditation application from the point an application is received to when a decision has been made and finalised.

Important aspects to note in this process:

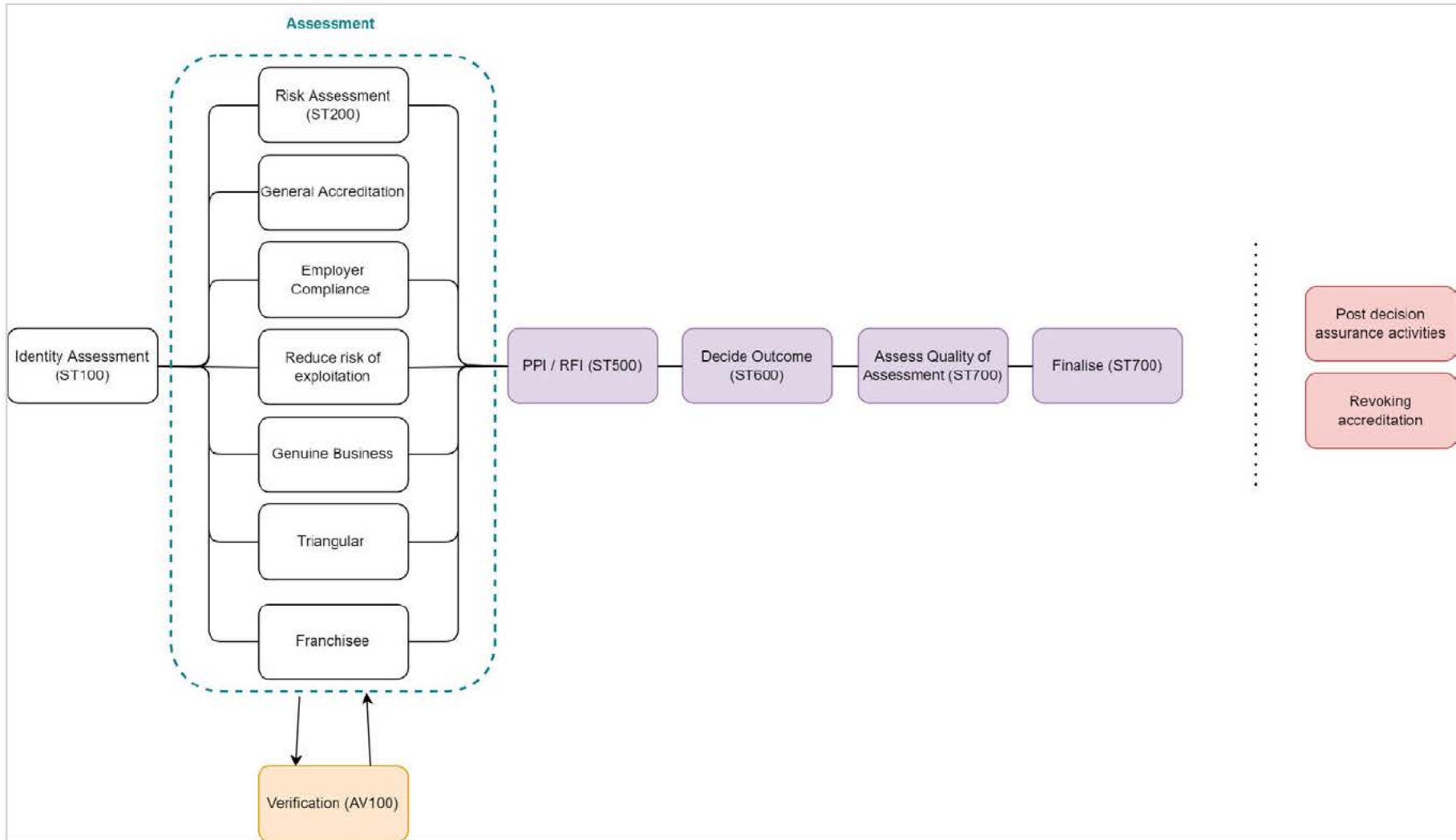
i. Gather information: The diagram is drawn in a linear process, however as it has been established certain functions can happen in parallel. In this diagram there is the Process to Wait for all gather information to be completed meaning that multiple requests can occur at the same time, but the system will not progress until those actions have been completed.

ii. Multiple activities

*Note: this diagram is only looking at the system and not the detail of manual process that are created/escalated by users in the system.*

# Maintenance of the law

## 2 ADEPT Accreditation Decision Flow





**EA-01 - ST200: Risk Assessment**

ST200 Risk Assessment will be reused for Accreditation. This can be found here [ST200: Risk Assessment](#)

EA-02 - General Accreditation Assessment

# Maintenance of the law

# Maintenance of the law

#	Decision Point	Immigration Instruction	Information source	Front end form question	Application Information Tag
1	Employer (organisation) is a New Zealand employer?	WA2.5(b)	<input checked="" type="checkbox"/> Integration from NZBN and application form response	New Zealand Business Number (NZBN) of your organisation	Not a New Zealand Employer
2	Employer (organisation) is a foreign diplomatic or consular mission?	WA2.5(b)	<input type="checkbox"/> Application form response	Is your organisation a foreign diplomatic or	Check claim of foreign diplomatic or consular



#	Decision Point	Immigration Instruction	Information source	Front end form question	Application Information Tag
				consular mission to New Zealand?	mission – exempt from NZBN
3	Does the employer (organisation) hold high volume accreditation?	WA2.5(b)	■ ADEPT holds this information	N/A	Employer organisation applying for Standard Accreditation and already has six or more AEWV holders
4	Is the employer (organisation) now applying for standard accreditation?	N/A	<input type="checkbox"/> Application form response	Will your organisation employ six or more Accredited Employer Work Visa holders at any time while you hold accreditation?	Employer organisation applying for Standard Accreditation and already has six or more AEWV holders
5	Does the employer (organisation) already have six or more migrants on accredited employer work visas?	WA2.1(e)	■ ADEPT holds this information	Does your organisation currently employ six or more Accredited Employer Work Visa holders?	Employer organisation applying for Standard Accreditation and already has six or more AEWV holders
6	Create flags for manual assessment		■ ADEPT creates manual flags		

## EA-03 - Employer Compliance

# Maintenance of the law

#	Decision Point	Immigration Instruction	Information source	Front end form question	Application Information Tag
1	Employer (organisation) or key people are listed as non compliant employers on the Labour Inspectorate Stand down list?	WA2.10.10(a)	■ Stand down list in ADEPT but employer declares	Is your organisation or any of its key people currently on the employer stand-down list issued by the Labour Inspectorate?	Employer or Key People is on Stand Down List
2	Employer (organisation) or its key people have been charged or convicted for an offence	WA2.10(a)(iii)	■ Immigration offences in ADEPT but employer declares	If either of the below are answered negatively manual assessment required	Employer or Key People have been charged or

#	Decision Point	Immigration Instruction	Information source	Front end form question	Application Information Tag
	under the Immigration Act?			<ul style="list-style-type: none"> <li>• Has your organisation or any of its key people ever been convicted or charged with an offence under the Immigration Act 2009?</li> <li>• Are you aware of any key people in your organisation who are currently or have previously been involved in any other organisation that has not been compliant with immigration standards?</li> </ul>	convicted of an Immigration Offence
5	The employer (organisation) have employed a person who is not entitled under the Immigration Act 2009?	WA2.10.10(d) (i)	<input type="checkbox"/> Application form response	<p>If either of the below are answered negatively manual assessment required</p> <ul style="list-style-type: none"> <li>• In the past seven years, has your organisation or any of its key people employed a person who was not entitled, under the Immigration Act 2009, to work in that role?</li> </ul>	Employer declared previously employed a worker who was not entitled
6	Where the key people are not NZ res/citz and are not employed by the employer, the key people have valid visas and are not acting as the employer's key person in	WA2.10.10(e)	<input type="checkbox"/> Application form response	<p>If either of the below are answered negatively manual assessment required</p> <ul style="list-style-type: none"> <li>• Is the key person in New Zealand without a valid visa?</li> </ul>	Key people are not entitled to act as a key person

#	Decision Point	Immigration Instruction	Information source	Front end form question	Application Information Tag
	breach of their NZ visa conditions			<ul style="list-style-type: none"> <li>Is the key person breaching their visa conditions by acting as a key person for your organisation?</li> </ul>	
7	The employer (organisation and key people have provided false and misleading information or withheld material information from INZ?	WA2.10.10(d) (ii)	<input type="checkbox"/> Application form response	Has your organisation or any of its key people ever provided false or misleading information to Immigration New Zealand, or withheld material information?	Employer has declared false and misleading information has been provided previously
10	Has the employer or any of its key people been convicted of any offence at any time under s98, 98C or 98D of the Crimes Act 1961?	WA2.10.10(g) (ii)	<input checked="" type="checkbox"/> Immigration offences in ADEPT but employer declares	Has your organisation or any of its key people ever been convicted or charged for an offence under the Crimes Act 1961 for dealing in slaves, trafficking in persons, or smuggling migrants?	Employer or key people are on Immigration offence list for a Crimes Act offence
12	Are any of the key people prohibited from being a director or promotor of, or being concerned or taking part in the management of, an incorporated company or unincorporated body within New Zealand by being issued a prohibition	WA2.10.10(i) (i)	<input type="checkbox"/> Application form response	Are any key people in your organisation currently banned from being a director or promotor of a business, or from being involved with the management of a business in New Zealand?	Key people are prohibited within NZ as have been issued a prohibition notice by the Registrar of Companies

#	Decision Point	Immigration Instruction	Information source	Front end form question	Application Information Tag
	notice by the Registrar of Companies?				
1 3	Are any of the key people prohibited from being a director or promotor of, or being concerned or taking part in the management of, an incorporated company or unincorporated body within New Zealand by virtue of s382 of the Companies Act 1993?	WA2.10.10(i) (i)	<input type="checkbox"/> Application form response	<p>If either of the below are yes - create tag</p> <ul style="list-style-type: none"> <li>• Are any key people in your organisation currently banned from being a director or promotor of a business, or from being involved with the management of a business in New Zealand?</li> <li>• In the past five years have any key people in your organisation been convicted or charged for an offence in connection with the promotion, formation or management of a company, or for a dishonesty offence, either in New Zealand or overseas?</li> </ul>	Key people are prohibited within NZ by virtue of s382 of the Companies Act 1993
1 4	Are any of the key people prohibited from being a director or promotor of, or being concerned or taking part in the management of, an incorporated company or unincorporated body	WA2.10.10(i) (i)	<input checked="" type="checkbox"/> API to Banned directors and question		Key People/directors is on Company Office Banned Director list



#	Decision Point	Immigration Instruction	Information source	Front end form question	Application Information Tag
	within New Zealand by being disqualified by a court?				
1 5	Have any of the key people been convicted in last five years of any offences listed in s382 of the Companies Act that prohibit a person from managing a company or any equivalent offence in any other country?	WA2.10.10(i) (ii)	<input type="checkbox"/> Application form response	<p><b>Maintenance of the law</b></p> <ul style="list-style-type: none"> <li>• Are any key people in your organisation currently banned from acting as a director or promoter of a business, or from taking part in the management of a company in a country other than New Zealand?</li> <li>• In the past five years have any key people in your organisation been convicted or charged for an offence in connection with the promotion, formation or management of a company, or for a dishonesty offence, either in New Zealand or overseas?</li> </ul>	Employer has declared key people are prohibited from being a director in another country
1 6	Does the employer (organisation) or key people have an investigation or case pending for a breach	WA2.10.10(j)	<input type="checkbox"/> Application form response	Is your organisation or any of its key people aware of any ongoing investigations or cases pending for any breach that, if proven, might prevent accreditation being granted?	Employer has declared an investigation or case pending



#	Decision Point	Immigration Instruction	Information source	Front end form question	Application Information Tag
	which would prevent them from gaining accreditation?				
17	Has the employer (organisation) declared they will not pass on costs and fees for the recruitment of migrants inside and outside of New Zealand to AEWV holders?	WA2.10.10(l)	<input type="checkbox"/> Application form response	Does your organisation agree to not pass on any recruitment costs or fees to Accredited Employer Work Visa holders?	Employer has not declared they will not pass on recruitment costs and fees
18	Has the employer (organisation) declared they will not charge fees to AEWV holders outside NZ that would be unlawful if charged in NZ?	WA2.10.10(m)	<input type="checkbox"/> Application form response	Does your organisation agree to not charge fees to Accredited Employer Work Visa holders, either inside or outside New Zealand, that would be unlawful if charged within New Zealand?	Employer does not commit to not charging migrants fees that would be unlawful if charged in New Zealand
19	Has the employer (organisation) declared that everyone who makes recruitment decisions within the organisation will complete Employment New	WA2.10.10(n)	<input type="checkbox"/> Application form response	Will your organisation ensure that the people in your organisation who make recruitment decisions complete online employer modules while the accreditation is current?	Employer has not declared those making recruitment decisions will complete employment online modules

#	Decision Point	Immigration Instruction	Information source	Front end form question	Application Information Tag
	Zealand's online modules every 12 months?				
20	Is the employer (organisation) substantially similar to another organisation that does not meet accreditation requirements, and has been reestablished under a new legal entity to avoid a negative accreditation decision?	WA2.10.15(a)	<input type="checkbox"/> Application form response	In the last seven years, has your organisation been re-established as a new legal entity which is substantially similar to the previous organisation?	Employer has declared organisation is similar to previous organisation
21	Is the accreditation application a renewal of accreditation?	N/A		N/A	N/A
23	Has the employer passed on costs and fees for the recruitment of migrants inside and outside New Zealand to AEWV holders?	WA2.30(a)(iii)	<input type="checkbox"/> Application form response	Has your organisation passed on any recruitment costs or fees to Accredited Employer Work Visa holders since its previous accreditation was granted?  <a href="#">inz_employeraccreditation</a>   <a href="#">inz_passedoncosts</a>	Renewal - Employer has passed on costs and fees for recruitment of migrants to AEWV holders



#	Decision Point	Immigration Instruction	Information source	Front end form question	Application Information Tag
2 4	Has the employer charged fees to AEWV holders outside NZ that would be unlawful if charged in NZ?	WA2.30(a)(iii)	<input type="checkbox"/> Application form response	<p>Since its previous accreditation was granted, has your organisation charged fees to Accredited Employer Work Visa holders, either inside or outside New Zealand, that would have been unlawful if charged inside New Zealand?</p> <p><a href="#">inz_employeraccreditation</a>   <a href="#">inz_chargedunlawfulfee</a></p>	Renewal - Employer has charged AEWV holders outside NZ fees that are unlawful in NZ
2 5	Have the employees who make recruitment decisions within the organisation completed Employment New Zealand online modules every 12 months?	WA2.30(a)(iii)	<input type="checkbox"/> Application form response	<p>Has your organisation ensured that, while the last accreditation was current, the people in your organisation who make recruitment decisions completed the online employer modules?</p> <p><a href="#">inz_employeraccreditation</a>   <a href="#">inz_ensuredemployerobligationstraining</a></p>	Renewal - employees who make recruitment decisions have not completed Employment New Zealand modules
2 6	Any flags for manual assessment?		<input checked="" type="checkbox"/> ADEPT creates manual flags		



EA-04 - Reduce risk of exploitation

# Maintenance of the law



# Maintenance of the law

#	Decision point	Immigration Instruction	Information source	Front end form question	Application Information Tag
1	Has the employer (organisation) committed to providing information about local community and services and work-related matters within one month of any migrant starting?	WA2.10.5(a)	<input type="checkbox"/> Application form response	<p>Must answer 'Yes' to <b>both</b> of:</p> <ul style="list-style-type: none"> <li>• Will your organisation provide the above information to support Accredited Employer Work Visa holders to settle in New Zealand within one month of their starting work? <a href="#">inz_employeraccreditation</a>   <a href="#">inz_providesettlementsupport</a></li> <li>• Will your organisation provide the above work-related settlement information to Accredited Employer Work Visa holders? <a href="#">inz_employeraccreditation</a>   <a href="#">inz_workrelatedinfo</a></li> </ul>	Employer has not committed to provide information for local community and services and work related matters
2	Has the employer (organisation) committed to providing sufficient time during paid work hours for	WA2.10.5(b)	<input type="checkbox"/> Application form response	Will your organisation provide Accredited Employer Work Visa holders with paid work time to	Employer has not committed to give paid work time for

#	Decision point	Immigration Instruction	Information source	Front end form question	Application Information Tag
	migrants to complete all Employment NZ online modules on employment rights within one month of any migrant starting?			complete online employee modules within one month of their starting work? <a href="#">inz_employeraccreditation</a>   <a href="#">inz_employeeobligationstraining</a>	migrants to complete employment online modules
3	Is the accreditation application a renewal of accreditation?	N/A	<input checked="" type="checkbox"/> ADEPT holds this information	N/A	N/A
4	Did your organisation provide the required settlement information support information to migrant employees about local community and services and work-related matters?	WA2.30(a)(i)	<input type="checkbox"/> Application form response	Must answer 'Yes' to <b>both</b> of: <ul style="list-style-type: none"> <li>• Within one month of their starting work, has your organisation provided information about the local community and services to all Accredited Employer Work Visa holders recruited since your last accreditation application? <a href="#">inz_employeraccreditation</a>   <a href="#">inz_providedsettlementsupport</a></li> <li>• Has your organisation provided the required work-related settlement information to all Accredited Employer Work Visa holders, within one month of their starting work, since your previous accreditation was granted?</li> </ul>	Renewal - Employer has not provided information for local community and services and work-related matters



#	Decision point	Immigration Instruction	Information source	Front end form question	Application Information Tag
				<a href="#">inz_employeraccreditation</a>   <a href="#">inz_providedworkrelatedinfo</a>	
5	Has the employer (organisation) provided sufficient time during paid work hours for migrants to complete all Employment New Zealand's online modules on employment rights within one month of any migrant starting??	WA2.30(a)(i)	<input type="checkbox"/> Application form response	Has your organisation provided paid work time to complete online employee modules, within one month of their starting work, to all Accredited Employer Work Visa holders recruited since your last accreditation application?  <a href="#">inz_employeraccreditation</a>   <a href="#">inz_providedtimeforenzmodules</a>	Renewal - Employer has not given paid work time for migrants to complete employment online modules
6	Any flags for manual assessment?		<input checked="" type="checkbox"/> ADEPT creates manual flags		



EA-05 - Genuine Business

# Maintenance of the law



#	Decision Point	Immigration Instruction	Information source	Front end question	Application Information Tag
1	Is the employer (organisation) a partnership (general or limited) or sole trader?	N/A	<input type="checkbox"/> Application form response	Is your organisation operating as a partnership or sole trader?	N/A
2	If the employer (organisation) is a partnership (general or limited) or sole trader, the employer (or general partners in a limited partnership) is not bankrupt or subject to a No Asset Procedure?	WA2.10.1(a) (ii)	<input checked="" type="checkbox"/> API to Insolvency Register	As a sole trader have you been bankrupt or subject to a No Asset Procedure?  Are any of the individual partners (in a general partnership) or any of the general partners (in a limited partnership) bankrupt or subject to a No Asset Procedure?	Employer has declared they are a partnership or sole trader and is bankrupt
3	The employer (organisation) is not insolvent as per NZBN?	WA2.10.1(a)	<input checked="" type="checkbox"/> API from NZBN	N/A	Employer is insolvent
4	The business is less than 12 months old	N/A	<input type="checkbox"/> Application form response	Has your organisation been operating or trading for more than 12 months?	N/A
5	Employer has an IRD number and registered as an employer?	WA2.10.1(a) (i)	<input type="checkbox"/> Application form response	Is your organisation registered as an employer with the Inland Revenue Department (IRD)?	Employer has declared they do not have an IRD number
6	The employer (organisation) is either:	WA2.10.1(b)	<input type="checkbox"/> Application form response	Combination of these questions result in different questions showing.	Employer has declared they are not profitable, do not have positive

#	Decision Point	Immigration Instruction	Information source	Front end question	Application Information Tag
	<ul style="list-style-type: none"> <li>• profitable</li> <li>• has a positive cash flow for the last 6 months</li> <li>• sufficient capital / investment or</li> <li>• have a credible, minimum two year plan to ensure the employer's business remains viable and ongoing</li> </ul>			<p>Has your organisation been operating for at least 24 months?</p> <p>Has your organisation made a loss over the last 24 months?</p> <p>In each of the last two six-month periods, has your organisation had positive cash flow?</p> <p>Does your organisation have sufficient capital and/or external investment to cover all of the above?</p> <p>What is your organisation's primary source of capital or external investment?</p> <p>Does your organisation have a credible two-year plan to ensure it can continue to cover all of the above?</p>	cash flow, do not have sufficient capital or investment or have a credible two year plan
7	Employer (organisation) has a physical / online presence?	WA2.10.1(a)	<input type="checkbox"/> Application form response	<p><b>Maintenance of the law</b></p> <ul style="list-style-type: none"> <li>• Does your organisation have a physical address that it operates from?</li> <li>• Does your organisation have an online presence?</li> </ul>	No physical or online presence



#	Decision Point	Immigration Instruction	Information source	Front end question	Application Information Tag
8	Is the employer a sole trader, partners in a partnership (general or limited) or trustees in a trust?	WA2.10(b)	<input type="checkbox"/> Application form response	Organisation type	N/A
9	Is New Zealand the primary place of established residence for the sole trader (person), or at least one partner or trustee?	WA2.10(b)	<input type="checkbox"/> Application form response	<p>Maintenance of the law</p> <ul style="list-style-type: none"> <li>• Is New Zealand the primary place of established residence for at least one trustee?</li> <li>• As a sole trader, is New Zealand your primary place of established residence?</li> <li>• Is New Zealand the primary place of established residence for at least one partner?</li> </ul>	New Zealand is not the primary residence for sole trader, or at least one partner or trustee
10	Any flags for manual assessment		<input checked="" type="checkbox"/> ADEPT creates manual flags		

## EA-06 - Triangular Employer

# Maintenance of the law

Note that the triangular activity is always assessed manually.

#	Decision point	Immigration Instruction	Information source	Front end form question	Application Information Tag
1	Is, or was, the employer (organisation) triangular or their previous accreditation was triangular?	WA2.60.15	<input type="checkbox"/> Application form response	<p><b>Either a Yes response to:</b></p> <ul style="list-style-type: none"> <li>Based on the above definition, will your organisation place Accredited Employer Work Visa holders with a controlling third party?  <a href="#">inz_employeraccreditation</a>   <a href="#">inz_thirdpartyintention</a></li> </ul> <p><b>Or the previous accreditation application was Triangular / Triangular Franchisee</b></p>	Check employer meets the definition of a triangular employment arrangement

#	Decision point	Immigration Instruction	Information source	Front end form question	Application Information Tag
				<a href="#">inz_employeraccreditation</a>   <a href="#">inz_previouslytriangular</a>	
1 5	Is the current application under triangular?	WA.2.30(a) (iv)	<input type="checkbox"/> Application form response	Must answer Yes to:  Based on the above definition, will your organisation place Accredited Employer Work Visa holders with a controlling third party? <a href="#">inz_employeraccreditation</a>   <a href="#">inz_thirdpartyintention</a>	N/A
2	Has the employer declared that they will check any third party organisation has an NZBN, unless the controlling third party is a foreign diplomatic or consular mission?	WA2.20.1(a) (i)	<input type="checkbox"/> Application form response	Must answer Yes to:  ▪ Will your organisation only place Accredited Employer Work Visa holders with controlling third parties who have a registered NZBN? <a href="#">inz_employeraccreditation</a>   <a href="#">inz_triangularhasnzb</a>	Employer has declared the controlling third party does not have an NZBN, or is not a diplomatic or consular mission
3	Has the employer declared they will check any third party organisation is not on the Labour Inspectorate Stand down list?	WA2.20.1(a) (ii)	<input type="checkbox"/> Application form response	Must answer Yes to:  ▪ Will your organisation only place Accredited Employer Work Visa holders with controlling third parties who are not on the employer	Employer has declared the controlling third party is on the stand down list

#	Decision point	Immigration Instruction	Information source	Front end form question	Application Information Tag
				stand-down list issued by the Labour Inspectorate? <a href="#">inz_employeraccreditation</a>   <a href="#">inz_triangularnotonstanddown</a>	
4	Has the employer declared they will check any third party organisation or its key people are not subject to any ineligible stand-down period for specific offences under s342(1)(a), 343(1), 344(d), 347 or 350(1)(a) of the Immigration Act 2009?	WA2.10.1(a) (iii)	<input type="checkbox"/> Application form response	Must answer Yes to: <ul style="list-style-type: none"> <li>Looking at the above list, will your organisation only place Accredited Employer Work Visa holders with controlling third parties who have declared they are unaware of factors that might prevent accreditation being granted if they were to apply themselves? <a href="#">inz_employeraccreditation</a>   <a href="#">inz_triangularnobreaches</a></li> </ul>	Employer declared third party organisation or key people are subject to stand down period
5	Has the employer declared they will check any third party organisation or its key people have not received a prison sentence for specific offences under s343(1)(d), or 344(d) of the Immigration Act 2009?	WA2.10.1(a) (iii)	<input type="checkbox"/> Application form response	Must answer Yes to: <ul style="list-style-type: none"> <li>Looking at the above list, will your organisation only place Accredited Employer Work Visa holders with controlling third parties who have declared they are unaware of factors that</li> </ul>	Employer has declared third party organisation or key person has received a prison sentence for offence under Immigration Act

#	Decision point	Immigration Instruction	Information source	Front end form question	Application Information Tag
				might prevent accreditation being granted if they were to apply themselves? <a href="#">inz_employeraccreditation</a>   <a href="#">inz_triangularnobreaches</a>	
6	Has the employer declared they will check any third party organisation or its key people have not convicted for a specific offences under s343(1)(a), 345, 348, 342(1)(b), or 351 of the Immigration Act 2009 or s98, 98C or 98D of the Crimes Act 1961?	WA2.10.1(a) (iii)	<input type="checkbox"/> Application form response	Must answer Yes to: <ul style="list-style-type: none"> <li>Looking at the above list, will your organisation only place Accredited Employer Work Visa holders with controlling third parties who have declared they are unaware of factors that might prevent accreditation being granted if they were to apply themselves? <a href="#">inz_employeraccreditation</a>   <a href="#">inz_triangularnobreaches</a></li> </ul>	Employer has declared third party organisation or key people have been convicted of offence under Immigration or Crimes Act
7	Has the employer declared they will check any third party organisation, or any of its key people, are not aware of any cases pending, prosecutions underway or investigations which, if proven, would result in failure to meet WA2.20.1.ii and iii?	WA2.20.1(a) (iv)	<input type="checkbox"/> Application form response	Must answer Yes to: <ul style="list-style-type: none"> <li>Will your organisation only place Accredited Employer Work Visa holders with controlling third parties who have declared they are unaware of any cases pending, prosecutions</li> </ul>	Employer has declared third party organisation or key people have case pending, prosecution underway or investigation

#	Decision point	Immigration Instruction	Information source	Front end form question	Application Information Tag
				<p>underway or investigations which, if proven, would result in the controlling third party being placed on the employer stand-down list issued by the Labour Inspectorate?</p> <p><a href="#">inz_employeraccreditation</a>   <a href="#">inz_unawareof3rdpartypossiblyonstanddownlist</a></p>	
8	Has the employer declared they will check any third party organisation agrees that INZ may conduct site visits to verify whether the requirements are met, and will keep relevant records of migrants placed with them?	WA2.20.1(a) (v)	<input type="checkbox"/> Application form response	<p>Must answer Yes to:</p> <ul style="list-style-type: none"> <li>Will your organisation seek agreement from the controlling third party for Immigration New Zealand to undertake site visits?</li> </ul> <p><a href="#">inz_employeraccreditation</a>   <a href="#">inz_seekagreementundertakesitevisits3rdparty</a></p>	Employer has declared third party organisation has not agreed to site visits by INZ
9	Is the accreditation application a renewal application	N/A	<input type="checkbox"/> Application form response <input checked="" type="checkbox"/> ADEPT holds this information		N/A

#	Decision point	Immigration Instruction	Information source	Front end form question	Application Information Tag
10	<p>Has the employer during their previous accreditation period placed AEWV holders with a third party organisation who:</p> <ul style="list-style-type: none"> <li>• Did not have an NZBN</li> <li>• Was on the stand down list</li> <li>• Had immigration issues or breaches?</li> </ul>	WA2.30(a) (iv)	<input type="checkbox"/> Application form response	<p>Must answer <b>No</b> to all of:</p> <ul style="list-style-type: none"> <li>• Has your organisation previously placed Accredited Employer Work Visa holders with controlling third parties whose organisation or key people had factors that might have prevented accreditation being granted if they were to apply themselves? <a href="#">inz_employeraccreditation   inz_triangularbreachedinz</a></li> <li>• Has your organisation previously placed Accredited Employer Work Visa holders with controlling third parties who were listed on the published employer stand-down list issued by the Labour Inspectorate? <a href="#">inz_employeraccreditation   inz_triangularbreachedlabo urinspectorate</a></li> <li>• Has your organisation previously placed Accredited Employer Work</li> </ul>	Renewal - Employer has declared they have previously placed AEWVs with third party organisation that do not have an NZBN, are on the stand down list, or have immigration issues or breaches

#	Decision point	Immigration Instruction	Information source	Front end form question	Application Information Tag
				Visa holders with controlling third parties who did not have an NZBN? <a href="#">inz_employeraccreditation</a>   <a href="#">inz_triangularnoncompliant</a>	
105	Is the current application under triangular?	WA.2.30(a)(iv)	<input type="checkbox"/> Application form response	Must answer Yes to: Based on the above definition, will your organisation place Accredited Employer Work Visa holders with a controlling third party? <a href="#">inz_employeraccreditation</a>   <a href="#">inz_thirdpartyintention</a>	N/A
32	Has the employer got a plan in place to monitor employment conditions and safety of AEWV holders?	WA2.20.5(a)	<input type="checkbox"/> Application form response	<b>Supporting document</b> Upload organisational policy or plan to ensure all of the above	Employer does not have a plan to monitor the employment conditions and safety of AEWV holders
11	Has the employer declared they will carry out checks to ensure any third party organisation: (i) has effective processes in place to prevent and address bullying including associated reporting and	WA2.20.5(b)	<input type="checkbox"/> Application form response	Must answer Yes to all of: <ul style="list-style-type: none"> <li>Does your organisation have a process in place to ensure that controlling third parties have effective processes of their own in place to prevent and address workplace bullying?</li> </ul>	Employer has not carried out checks to monitor employment conditions and safety of employees at the third party organisation



#	Decision point	Immigration Instruction	Information source	Front end form question	Application Information Tag
	<p>(ii) has effective processes in place to assess and prevent risk, including a risk register and</p> <p>(iii) carries out health and safety inductions for AEWV holders on starting their placement with the third party organisation and</p> <p>(iv) understands the visa conditions of AEWV holders placed with them and</p> <p>(v) does not require or force AEWV holders that are placed with them to undertake work that is inconsistent with their employment agreement and/or visa conditions and</p> <p>(vi) does not require or force AEWV holders placed with them to work hours that do not align with health and safety standards.</p> <p>Before the AEWV holder is placed with the third party employer, and throughout the period the AEWV holder is placed with the third party employer</p>			<p><a href="#">inz_employeraccreditation</a>   <a href="#">inz_monitorsafeworkplace</a></p> <ul style="list-style-type: none"> <li>Does your organisation have processes in place to ensure that controlling third parties have effective processes of their own in place to assess and prevent risk?</li> </ul> <p><a href="#">inz_employeraccreditation</a>   <a href="#">inz_systemstoassessandprev</a> <a href="#">entrisk</a></p> <ul style="list-style-type: none"> <li>Does your organisation have processes in place to ensure that controlling third parties will carry out health and safety inductions for Accredited Employer Work Visa holders on starting their placement with them?</li> </ul> <p><a href="#">inz_employeraccreditation</a>   <a href="#">inz_systemsforhealthandsaf</a> <a href="#">etyinductions</a></p> <ul style="list-style-type: none"> <li>Does your organisation have processes in place to ensure that controlling third parties understand the visa conditions of Accredited Employer Work Visa holders being placed with them?</li> </ul>	



#	Decision point	Immigration Instruction	Information source	Front end form question	Application Information Tag
				<p><a href="#">inz_employeraccreditation   inz_understandworkvisaconditions</a></p> <ul style="list-style-type: none"><li>Does your organisation have processes in place to ensure that controlling third parties will not require or force Accredited Employer Work Visa holders placed with them to undertake work that is inconsistent with their employment agreement or visa conditions?</li></ul> <p><a href="#">inz_employeraccreditation   inz_preventinconsistentundertakingswithvisa</a></p> <ul style="list-style-type: none"><li>Does your organisation have processes in place to ensure that controlling third parties will not require or force Accredited Employer Work Visa holders placed with them to work hours that will not align with health and safety standards?</li></ul> <p><a href="#">inz_employeraccreditation   inz_alignwithhealthandsafetystandards</a></p>	

#	Decision point	Immigration Instruction	Information source	Front end form question	Application Information Tag
1 2	<p>Has the employer declared they will check whether any third party organisation meets the following requirements before an AEWV holder is placed</p> <ul style="list-style-type: none"> <li>- assessing documentation from the third party organisation about their processes to prevent and address workplace bullying, prevent risk (including a risk register), and health and safety induction and</li> <li>- providing information to the third party organisation about visa conditions and employment terms and conditions of the AEWV that are placed with them and</li> <li>- acquiring declarations from the third party organisation that they met the requirements of (a)</li> </ul>	WA2.20.5(c)	<input type="checkbox"/> Application form response	<p><b>Supporting documents:</b></p> <p>You must provide evidence of organisational policies or procedures that ensure that controlling third parties have a plan for:</p> <ul style="list-style-type: none"> <li>- addressing workplace bullying, including a complaints process for Accredited Employer Work Visa holders placed with them</li> <li>- addressing and resolving any issues reported by Accredited Employer Work Visa holders via the complaints process</li> <li>- assessing and preventing risk, including a risk register.</li> </ul> <p>Upload organisational policy or plan to ensure all of the above</p>	Employer has not checked that the third party organisation has the relevant documentation, provided information or acquired declarations before placing AEWV holders
1 3	<p>Has the employer declared they will check throughout the period that an AEWV holder is placed with a third party organisation is:</p> <ul style="list-style-type: none"> <li>- having contact with the AEWV holder at least once per fortnight for the first two months of a new placement, and then at least</li> </ul>	WA2.20.5(e)	<input type="checkbox"/> Application form response	<p>Must answer <b>Yes to both of:</b></p> <ul style="list-style-type: none"> <li>▪ Does your organisation have plans in place to ensure regular contact with Accredited Employer Work Visa holders placed with controlling third parties?</li> </ul>	Employer has not checked in with AEWV holders during the periods an AEWV holder is with a third party organisation

#	Decision point	Immigration Instruction	Information source	Front end form question	Application Information Tag
	<p>monthly or more frequently where appropriate</p> <p>- carrying out an on-site visit where AEWV holder is working at least once every six month period that an AEWV holder is placed at the site, or less frequently (or not at all) where there is evidence that the risk of breaching the requirements is low, or the site the site cannot be accessed for safety reasons or due to being in a remote location</p>			<p><a href="#">inz_employeraccreditation</a>   <a href="#">inz_contactmigrants</a></p> <ul style="list-style-type: none"> <li>Does your organisation have plans in place to undertake site visits with Accredited Employer Work Visa holders placed with controlling third parties at least once every six months?</li> </ul> <p><a href="#">inz_employeraccreditation</a>   <a href="#">inz_undertakesitevisits</a></p>	
1 4	Has the employer provided a complaints process and guidance for AEWV holders to directly report issues to the employer?	WA2.20.5(f)	<input type="checkbox"/> Application form response	<p>Must answer Yes to:</p> <ul style="list-style-type: none"> <li>Will your organisation provide Accredited Employer Work Visa holders with a copy of your organisation's complaints process and guidance for directly reporting issues to your organisation?</li> </ul> <p><a href="#">inz_employeraccreditation</a>   <a href="#">inz_triangularreporting</a></p>	Employer has not provided a complaints process and guidance for AEWV holders
1 5	Has the employer maintained records detailing which organisation	WA2.20.5(g)	<input type="checkbox"/> Application form response	<p>Must answer Yes to:</p> <ul style="list-style-type: none"> <li>Will your organisation seek agreement from the</li> </ul>	Employer has not maintained records of where AEWV holders are placed

#	Decision point	Immigration Instruction	Information source	Front end form question	Application Information Tag
	each AEWV holder is placed with, including all relevant details?			controlling third party to provide you with records about the placement of Accredited Employer Work Visa holders? <a href="#">inz_employeraccreditation</a>   <a href="#">inz_triangularrecords</a>	
1 6	Is the accreditation application a renewal of accreditation?	N/A	<input type="checkbox"/> Application form response <input checked="" type="checkbox"/> ADEPT holds this information		N/A
1 7	Has the employer during their previous accreditation period complied with monitoring the employment conditions and safety of employees in triangular employment arrangements?	WA2.30(a) (iv)	<input type="checkbox"/> Application form response	Must answer <b>Yes</b> to all of: <ul style="list-style-type: none"> <li>▪ During the previous accreditation period, did your organisation assess documentation from all controlling third parties to ensure there was a plan to prevent and address workplace bullying? <a href="#">inz_employeraccreditation</a>   <a href="#">inz_assessworkplacebullying3rdparty</a></li> <li>▪ During the previous accreditation period, did</li> </ul>	Renewal - employer has not complied with monitoring of employment conditions and safety of employees during previous accreditation



#	Decision point	Immigration Instruction	Information source	Front end form question	Application Information Tag
				<p>your organisation assess documentation from all controlling third parties to ensure there was a plan to assess and prevent risk? <a href="#">inz_employeraccreditation   inz_assessriskprevention3rdparty</a></p> <ul style="list-style-type: none"><li>▪ During the previous accreditation period, did your organisation assess documentation from all controlling third parties to ensure there were health and safety inductions? <a href="#">inz_employeraccreditation   inz_assesshealthandsafetyinductions3rdparty</a></li><li>▪ During the previous accreditation period, did your organisation provide information to controlling third parties about the employment terms and conditions of Accredited Employer Work Visa holders? <a href="#">inz_employeraccreditation  </a></li></ul>	



#	Decision point	Immigration Instruction	Information source	Front end form question	Application Information Tag
				<a href="#">inz_provideemploymenttcto3rdparty</a> <ul style="list-style-type: none"> <li>▪ During the previous accreditation period, did your organisation obtain declarations from controlling third parties regarding requirements they must meet?</li> </ul> <a href="#">inz_employeraccreditation   inz_obtaindeclarationsfrom3rdparty</a>	
17.5	Is the current application under triangular?	WA.2.30(a)(iv)	<input type="checkbox"/> Application form response	Must answer Yes to:  Based on the above definition, will your organisation place Accredited Employer Work Visa holders with a controlling third party? <a href="#">inz_employeraccreditation   inz_thirdpartyintention</a>	N/A
18	Does the employer have in place an informal disputes and complaints resolution process for issues that can be resolved early, are one off or are unlikely to recur?	WA2.20.10(a)(i)	<input type="checkbox"/> Application form response	Must answer Yes to both of:  <ul style="list-style-type: none"> <li>▪ Does your organisation have an informal disputes and complaints resolution process for issues that can be resolved early?</li> </ul>	Employer does not have informal disputes and complaints process for moderate issues

#	Decision point	Immigration Instruction	Information source	Front end form question	Application Information Tag
				<a href="#">inz_employeraccreditation</a>   <a href="#">inz_triangularissuereporting</a> <ul style="list-style-type: none"> <li>Does your organisation have plans in place to raise, investigate, and resolve moderate issues?</li> </ul> <a href="#">inz_employeraccreditation</a>   <a href="#">inz_moderateissues</a>	
19	Does the employer have in place a formal disputes and complaints resolution process for serious issues?	WA2.20.10(a)(ii)	<input type="checkbox"/> Application form response	<p>Must answer Yes to both of:</p> <ul style="list-style-type: none"> <li>Does your organisation have a formal disputes and complaints resolution process for serious issues?  <a href="#">inz_employeraccreditation</a>   <a href="#">inz_resolveissues</a></li> <li>Does your organisation have processes in place to remove Accredited Employer Work Visa holders from the control of third parties, and to ensure that no further Accredited Employer Work Visa holders are placed with that third party, until an issue has been resolved?  <a href="#">inz_employeraccreditation</a>   <a href="#">inz_removemigrants</a></li> </ul>	Employer does not have formal disputes and complaints process for serious issues



#	Decision point	Immigration Instruction	Information source	Front end form question	Application Information Tag
20	Has the employer declared any significant breaches?	WA2.20.10(c)	<input type="checkbox"/> Application form response	<p>Must answer No to:</p> <ul style="list-style-type: none"> <li>During the last accreditation period, did your organisation apply its formal disputes and complaints resolution process in response to a serious issues or complaint?</li> </ul> <p><a href="#">inz_employeraccreditation</a>   <a href="#">inz_applyformaldisputesandcomplaintsresolutio</a></p>	N/A
21	Did the employer remove the AEWV holders as soon as practicably possible, and not place any further AEWV holders, from the third party organisation they were placed with as soon as practicably possible?	WA2.20.10(c)	<input type="checkbox"/> Application form response	<p>Must answer No to:</p> <ul style="list-style-type: none"> <li>During the last accreditation period, did your organisation remove any Accredited Employer Work Visa holders from the control of third parties in response to an issue or complaint?</li> </ul> <p><a href="#">inz_employeraccreditation</a>   <a href="#">inz_removeaccreditedworkvisaholders</a></p>	Renewal - Employer did not remove AEWV holders, or placed further AEWV holders with third party organisation
22	Has the employer declared any moderate issues?	WA2.20.10(d)(i)	<input type="checkbox"/> Application form response	Must answer No to:	N/A



#	Decision point	Immigration Instruction	Information source	Front end form question	Application Information Tag
				<ul style="list-style-type: none"> <li>During the last accreditation period, did your organisation apply its informal disputes and complaints resolution process in response to an issue or complaint?</li> </ul> <a href="#">inz_employeraccreditation   inz_applyinformaldisputesa</a> <a href="#">ndcomplaintsresolut</a>	
2 3	<p>Did the employer:</p> <ul style="list-style-type: none"> <li>promptly adhere to their disputes and complaints resolution processes</li> <li>remove the AEWV holders from the organisation they are placed with and not place any further AEWV holders with them until the issue is resolved</li> </ul>	WA2.20.10(d)(i)	<input type="checkbox"/> Application form response	Support documents will cover this	Renewal - Employer did not adhere to own processes, remove AEWV holders, or placed further AEWV holders with third party organisation
2 4	Has the employer declared any issues or non compliance that affected more than one AEWV holder?	WA2.20.10(d)(ii)	<input type="checkbox"/> Application form response	Support documents will cover this	N/A

#	Decision point	Immigration Instruction	Information source	Front end form question	Application Information Tag
25	Did the employer remove those AEWV holders from the organisation?	WA2.20.10(d)(ii)	<input type="checkbox"/> Application form response	Support documents will cover this	Renewal - Employer did not remove AEWV holders
255	Is the current application under triangular?	WA.2.30(a)(iv)	<input type="checkbox"/> Application form response	Must answer Yes to: Based on the above definition, will your organisation place Accredited Employer Work Visa holders with a controlling third party? <a href="#">inz_employeraccreditation</a>   <a href="#">inz_thirdpartyintention</a>	N/A
26	Is the accreditation application a renewal of accreditation?	N/A	<input type="checkbox"/> Application form response <input checked="" type="checkbox"/> ADEPT holds this information		N/A
27	Has the employer during their previous accreditation period responded appropriately to issues identified?	WA2.30(a)(iv)	<input type="checkbox"/> Application form response	Support documents will cover this	Renewal - employer has not responded appropriately to issues identified

#	Decision point	Immigration Instruction	Information source	Front end form question	Application Information Tag
28	Has the employer employed staff, who is not a key person, in New Zealand for the 12 months prior to the application being made?	WA2.20.20(b)	<input type="checkbox"/> Application form response	Has your organisation employed staff in New Zealand throughout the last 12 months? <a href="#">inz_employeraccreditation</a>   <a href="#">inz_triangularinlastyear</a>	N/A
29	Is the ownership of another legal entity where at least 66% of the ownership is the same, and the sector is the same, providing the same goods or services, allow the employer to meet the history of employing staff requirements?	WA2.20.20(b)	<input type="checkbox"/> Application form response	Must answer Yes to: <ul style="list-style-type: none"> <li>Does your organisation and another organisation meet all the above requirements? <a href="#">inz_employeraccreditation</a>   <a href="#">inz_expandingbusiness</a></li> </ul>	Employer claims history of employing NZ cit/res under different legal entity but ownership different
30	A minimum of 15% of the employers are New Zealand citizens/residents who are guaranteed at least 30 hours per week, unless the employer only has one employee?	WA2.20.15	<input type="checkbox"/> Application form response	Ensure that $\text{inz\_triangularcountnzcitizens} \div \text{inz\_triangularcount} \geq 0.15$ <ul style="list-style-type: none"> <li>How many employees does your organisation currently place with controlling third parties? <a href="#">inz_employeraccreditation</a>   <a href="#">inz_triangularcount</a></li> <li>How many of these employees are New Zealand citizens or residents that work a minimum of 30 hours per week?</li> </ul>	NZ cit/res do not make up 15% of the total hours worked by employees with third party organisation



#	Decision point	Immigration Instruction	Information source	Front end form question	Application Information Tag
				<a href="#">inz_employeraccreditation</a>   <a href="#">inz_triangularcountnzcitizens</a>	
3 1	Any flags for manual assessment?		■ ADEPT creates manual flags		



EA-07 - Franchisee

# Maintenance of the law



# National security or defence

Note the franchisee activity is always assessed manually

#	Decision point	Immigration Instruction	Immigration source	Front end form question	Application Information Tag
1	Does the employer meet the definition of a franchisee employer?	WA2.60.20	<input type="checkbox"/> Application form response	<p>Definition of a franchisee employer</p> <p>A franchisee employer is one that:</p> <ul style="list-style-type: none"> <li>- purchases the right to use a business system mandated by a third party business, and</li> <li>- is substantially or materially associated with a brand, trademark, or commercial symbol owned by that third party, and</li> <li>- has that third party controlling certain activities or structures within their business, as set out in an agreement, such as continuing obligations to that third party in terms of financial performance or to pay some kind of fee. The third party might also impose restrictions over how the organisation can run its business, raise issues or terminate the agreement.</li> </ul>	Check employer meets the definition of franchisee employer

#	Decision point	Immigration Instruction	Immigration source	Front end form question	Application Information Tag
				Based on the above definition, is your organisation a franchisee employer?	
2	The employer has been operating (trading or carrying out business) in New Zealand as a franchisee for at least 12 months prior to this application being made?	WA2.25(a)(i)	<input type="checkbox"/> Application form response	Has your organisation been operating in New Zealand as a franchisee throughout the last 12 months?	N/A
3	Is the ownership of another legal entity where at least 66% of the ownership is the same, and the sector is the same, providing the same goods or services, allow the employer to meet the history of employing staff requirements?	WA2.25(b)	<input type="checkbox"/> Application form response	Although it has not been operating in New Zealand as a franchisee throughout the last 12 months, your organisation may rely on another organisation's history of employing staff in New Zealand if both your organisation and the other organisation: - share at least 66% ownership, and - operate in the same sector, and - provide the same goods or services.  Does your organisation and another organisation meet all of the above requirements?	Employer cannot use ownership of other entity to meet employing staff requirements
4	A minimum of 15% of the employers employees are New Zealand citizens/residents who are guaranteed at least 30 hours per week?	WA2.25(a)(ii)	<input type="checkbox"/> Application form response	How many of these employees are New Zealand citizens or residents that work a minimum of 30 hours per week?	N/A





#	Decision point	Immigration Instruction	Immigration source	Front end form question	Application Information Tag
5	Does the employer only have one employee?	WA2.25(a)(ii)	<input type="checkbox"/> Application form response	How many employees does your organisation have?	Employer has more than one employee
6	Any flags for manual assessment?		<input checked="" type="checkbox"/> ADEPT creates manual flags		