



Cabinet

Minute of Decision

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Immigration Rebalance: Details of Sector Agreements

Portfolio **Immigration**

On 15 August 2022, following reference from the Cabinet Economic Development Committee, Cabinet:

Background

- 1 **noted** that on 19 April 2022, Cabinet:
 - 1.1 agreed to progress sector agreements for five sectors, including the care workforce, construction and infrastructure, meat processing, seafood, and seasonal snow and adventure tourism sectors;
 - 1.2 noted that the Minister of Immigration would report back in June 2022 with finalised sector agreements;

[CAB-22-MIN-0145]
- 2 **noted** that the proposed sector agreements have been refined following stakeholder and agency consultation;
- 3 **noted** that the sector agreements will be implemented through immigration instructions so that migrants can be recruited no later than 31 October 2022;
- 4 **noted** that:
 - 4.1 from 4 July 2022, all employers have been able to recruit migrants at or above the median wage through the Accredited Employer Work Visa;
 - 4.2 transitional arrangements are in place for the sectors that will have sector agreements to enable sufficient recruitment prior to October 2022;

Sector agreements

- 5 **agreed** that the Minister of Immigration implement the sector agreements, as outlined in paragraphs 6 to 11 below, through immigration instructions;

Care Workforce sector agreement

- 6 **agreed** that the sector agreement settings for the Care Workforce sector include:
- 6.1 duration: 2 years, ending in October 2024 (this is an initial period that may be renewed);
 - 6.2 number of migrant workers permitted: uncapped;
 - 6.3 occupations included (ANZSCO): Kaiāwhina (Hauora) (Māori Health Assistant), Disabilities Services Officer, Residential Care Officer, Aged and Disabled Carers, Nursing Support Worker, Personal Care Assistant, Therapy Aide, Child or Youth Residential Care Assistant, Diversional Therapist;
 - 6.4 wage threshold (per hour): \$26.16 (equivalent to the Level 3/8+ years' experience wage in relevant pay legislation, or indexed to median);
 - 6.5 maximum visa durations and stand downs: up to 2 years at the Level 3 rate in the pay arrangement (cannot be issued another Accredited Employer Work Visa if still paid less than the Level 4 rate after 2 years);
 - 6.6 other settings: migrant care workers paid at median/Level 4 rate and above are provided a 2-year work to residence pathway (the Pacific programme is a longer-term possibility);

Construction and Infrastructure sector agreement

- 7 **agreed** that the sector agreement settings for the Construction and Infrastructure sector include:
- 7.1 duration: 2 years, ending in October 2024 (this is an initial period that may be renewed);
 - 7.2 number of migrant workers permitted: uncapped;
 - 7.3 occupations included (ANZSCO): Metal fabricator, Welder, Fitter-Welder, Fitter (General), Painting Trades Worker, Fibrous Plasterer, Solid Plasterer, Wall and Floor Tiler, AC and Refrigeration Mechanic, Bricklayer, Builder's Labourers, Carpenter, Carpenter and Joiner, Landscape Gardener, Drainage, Sewerage and Stormwater Labourer, Roof Tiler, Glazier, Plumber's Assistant, Roof Plumber, Painting Trade Workers, Floor Finishers, and Stonemasons;
 - 7.4 wage threshold (per hour): \$25.00 (updated each year to reflect changes in the median wage to maintain its relative value, i.e. 90 percent of the median wage);
 - 7.5 maximum visa durations and stand downs: up to 2 years at below median wage (cannot be issued another Accredited Employer Work Visa if still paid less than the median wage after 2 years);
 - 7.6 other settings: Pacific programme is a longer-term possibility;

Meat Processing sector agreement

- 8 **agreed** that the sector agreement settings for the Meat Processing sector include:
- 8.1 duration: 2 years, to be replaced with a Pacific programme to be set up in 2024;
 - 8.2 number of migrant workers permitted: capped at 320 for two years;
 - 8.3 occupations included (ANZSCO): Meat Process Worker, including red meat and pork processing;
 - 8.4 wage threshold (per hour): \$24.00 (updated each year to reflect changes in the median wage to maintain its relative value, i.e. 86 percent of the median wage);
 - 8.5 maximum visa durations and stand downs: up to 7 months (cannot be issued another Accredited Employer Work Visa for below median wage work until the next season);
 - 8.6 other settings: Pacific programme from 2024 (using a 200 baseline cap as a starting point);

Seafood sector agreement

- 9 **agreed** that the sector agreement settings for the Seafood (onshore) sector include:
- 9.1 duration: 2 years, to be replaced with a Pacific Programme to be set up in 2024;
 - 9.2 number of migrant workers permitted: capped at 600 for two years;
 - 9.3 occupations included (ANZSCO): Seafood Process Worker;
 - 9.4 wage threshold (per hour): \$24.00 (updated each year to reflect changes in the median wage to maintain its relative value, i.e. 86 percent of the median wage);
 - 9.5 maximum visa durations and stand downs: up to 7 months (cannot be issued another Accredited Employer Work Visa for below median wage work until the next season);
 - 9.6 other settings: Pacific programme from 2024 (using a 200 baseline cap as a starting point);
 - 9.7 an increase to the existing border exception for onshore seafood process workers by 100;
- 10 **agreed** that the sector agreement settings for the Seafood (sea-based) sector include:
- 10.1 duration: cap to remain indefinitely;
 - 10.2 number of migrant workers permitted: capped at 940;
 - 10.3 occupations included: all roles currently covered by the Foreign Fishing Crew visa;
 - 10.4 wage threshold (per hour):
 - 10.4.1 October 2022: minimum wage + \$4 per hour;
 - 10.4.2 October 2023: minimum wage + \$5 per hour;

- 10.4.3 October 2024: minimum wage + \$6 per hour;
- 10.4.4 October 2025: median wage as at date;
- 10.5 maximum visa durations and stand downs: up to 12 months (status quo), with no stand down;

Seasonal Snow and Adventure Tourism sector agreement

- 11 **agreed** that the sector agreement settings for the Seasonal Snow and Adventure Tourism sector include:
 - 11.1 duration: until February 2025;
 - 11.2 number of migrant workers permitted: uncapped;
 - 11.3 occupations included (ANZSCO): Snowsport Instructors, Mountain and Glacier Guides, Snow Groomers (within ANZSCO Mobile Plant Operators not elsewhere classified), Outdoor Adventure Instructors, Outdoor Adventure Guides not elsewhere classified, Whitewater Rafting Guides, Parachute Rigger and Ski Technician (within ANZSCO Technicians and Trades Workers not elsewhere classified), and Snow Maker (within ANZSCO Stationary Plant Operators not elsewhere classified);
 - 11.4 wage threshold (per hour):
 - 11.4.1 October 2022: \$25.00;
 - 11.4.2 February 2023: 90 percent median wage;
 - 11.4.3 February 2024: 95 percent median wage;
 - 11.4.4 February 2025: median wage as at date;
 - 11.5 maximum visa durations and stand downs: up to 7 months (multiple Accredited Employer Work Visas below median wage can be granted to allow for movement between roles across seasons);

Next steps

- 12 **agreed** that to express the government's expectations of the sectors receiving sector agreements, the Minister of Immigration, along with Ministers with sector responsibilities where relevant, will issue letters to peak sector bodies no later than when sector agreements are implemented on 31 October 2022;
- 13 **directed** the Ministry of Business, Innovation and Employment to work with agencies and teams with sector responsibilities (with input from sector groups and unions where appropriate) to give effect to sector agreements by:
 - 13.1 finalising and implementing the allocation processes for the seafood and meat processing sector agreements;
 - 13.2 finalising the expectations for each sector agreement prior to October 2022 implementation, and setting up the associated monitoring and review processes, to include (where appropriate) regular six-monthly meetings with the sector and unions, and leveraging off existing tripartite arrangements and meetings where these exist;

- 13.3 developing Pacific programmes for the seafood and meat processing sectors (together with the Ministry of Foreign Affairs and Trade), and agreeing the next steps on the development of aged care and construction programmes with relevant agencies;
- 14 **authorised** the Minister of Foreign Affairs and the Minister of State for Trade and Export Growth, in consultation with the Minister of Immigration, to determine the relationship between the Pacific programmes (as described in paragraph 13.3 above) and the PACER Plus trade agreement, including the associated Arrangement on Labour Mobility;
- 15 **authorised** the Minister of Immigration, in consultation with relevant Ministers where appropriate, to make any ancillary decisions required to give effect to the sector agreements referred to above.

Rachel Hayward
Acting Secretary of the Cabinet

Secretary's Note: This minute replaces DEV-22-MIN-082. Cabinet agreed to amend paragraphs 9.2 and 9.7.
