



## AIDE MEMOIRE

### Impact of Tightening Accredited Employer Work Visa Settings

<b>Date:</b>	22 September 2023	<b>Priority:</b>	Medium
<b>Security classification:</b>	In Confidence	<b>Tracking number:</b>	2324-0803

#### Information for Minister(s)

Hon Andrew Little

**Minister of Immigration**

#### Contact for telephone discussion (if required)

Name	Position	Telephone	1st contact
Simon Sanders	Deputy Chief Operating Officer, Immigration New Zealand	-	Privacy of natural persons
Andrew Craig	Policy Director ESIP, LSE	04 901 1245	✓

#### The following departments/agencies have been consulted

N/A

Minister's office to complete:

Noted

Overtaken by Events

Approved

Needs change

See Minister's Notes

Declined

Seen

Withdrawn

#### Comments

Noted - R  
26/9/23



## AIDE MEMOIRE

### Impact of Tightening Accredited Employer Work Visa Settings

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The attached A3s (Annex 1) provide further details on how Accredited Employer Work Visa (AEWV) operational assessments have been tightened and the impact this is having. This follows the aide memoire sent to you on 8 September 2023 [AM 2324-0722 refers].

Changes over the past three months have materially tightened assessment across all four parts of the AEWV process. These have focused on: identifying employers up front who have a higher risk profile (such as labour hire companies incorrectly seeking standard accreditation, or new or non-financially viable employers); and challenging requests for high numbers of vacancies at the job check stage. There is also increasing use of accreditation suspension and revocation powers where issues are detected.

In parallel, we are also looking at settings and risk tolerance on other key visas such as visitor and student (noted in Annex 1). Some higher risk groups will switch efforts to gain non-genuine access via the visa pathway which appears easiest at the time.

It is too soon to see the cumulative impact of this tightening and increased post-decision assessment. However, we are already seeing some employer behaviour change and higher decline rates. This includes employers reducing the number of job check positions requested when queried by an immigration officer. A system view is also helping to identify and suspend bad actors (for example, a company where review of work visas revealed concerns about premiums paid, no understanding of the role the migrant was coming to do, and the likely presence of a hidden agent).

We have also started to see processing times increase (at the job check and accreditation stages) due to more engagement with employers and requests for additional information. We will keep monitoring the overall balance of controls that are now in place over the coming weeks.

## Privacy of natural persons

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22 / 09 / 2023

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### Annexes

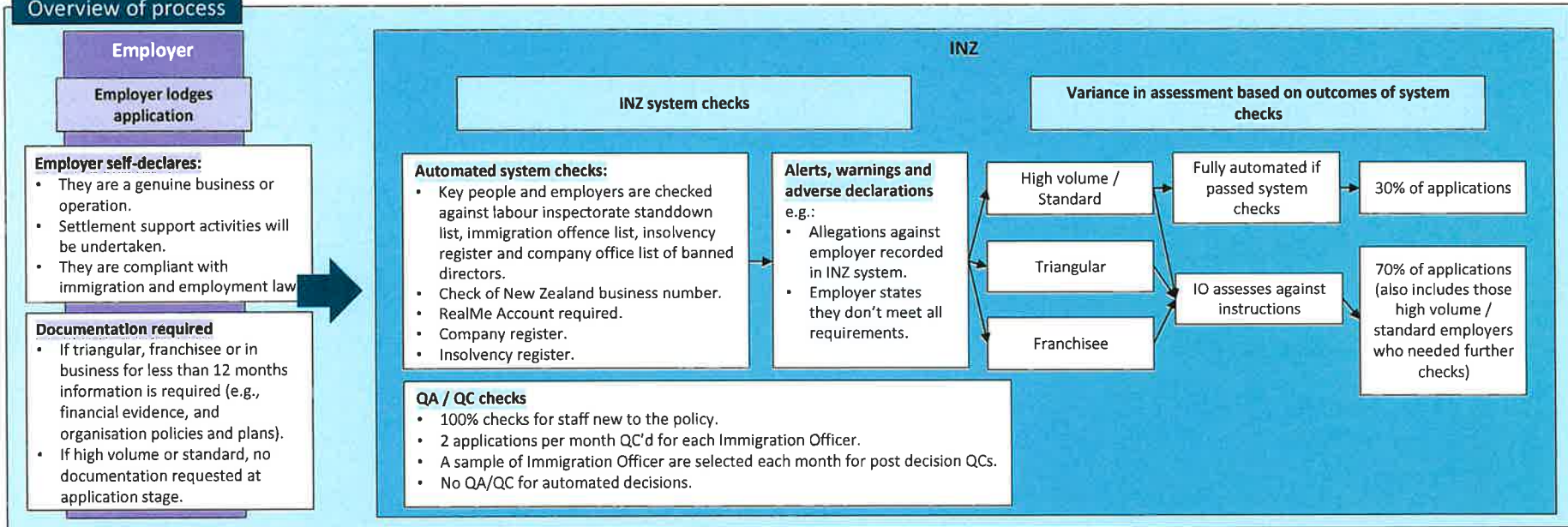
**Annex 1:** A3s: Impacts of AEWV changes on processing and risk

# Current process: Employer accreditation

## Purpose

The Employer Accreditation is to ensure that the business is viable, meets immigration and employment standards, and will not exploit migrants that the employer might hire. It is a high trust and employer-led process.

## Overview of process



## Operational and service impacts

Date	March 2023	Sept 2023
FTE	12 FTE	7 FTE (11 FTE from 25 Sep 2023)
Volumes	<ul style="list-style-type: none"> <li>• Avg 2,000 received/month</li> <li>• Completed YTD: 18,800                             <ul style="list-style-type: none"> <li>○ Approved: 18,700</li> <li>○ Declined: 12</li> <li>○ Withdrawn: 87</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• Avg 1,500 received/month</li> <li>• Completed YTD: 30,300                             <ul style="list-style-type: none"> <li>○ Approved: 28,400</li> <li>○ Declined: 69</li> <li>○ Withdrawn: 274</li> </ul> </li> </ul>
Processing time	As of 31 May 2023, 73.8% approved within 10 days.	As of 31 Aug 72.6% completed within 10 days. Timeliness of decision-making will continue to decrease over coming weeks as a result of processing adjustments as many of the older applications are yet to be decided.
PPI and decline rate	Very low	Increasing declines and withdrawals up to mid-2023. Too early to see impact of tightening in August to withdraw or decline rate, but PPI rate has increased.

Note that 80% of employers have gone on to complete job Check.

## System adjustments and impact

### Tightening of scrutiny (including through September General Instruction) on genuine and financially viable employers:

- We are requesting additional financial documents for all triangular & franchisee employers including those operating for more than 12 months. We will also request financial documents for employers that appear to be triangular or franchise or where there are certain risks present.
- We have established risk monitoring pre-decision. This will provide increased data on which additional risk controls can be built such as risk rules triggering more scrutiny on other key risks factors such as operation in construction sector.
- Will be increasing checks that triangular employers meet higher requirements like 1 year in operation and proportion of workforce New Zealanders.

### Impact of changes on key immigration risks:

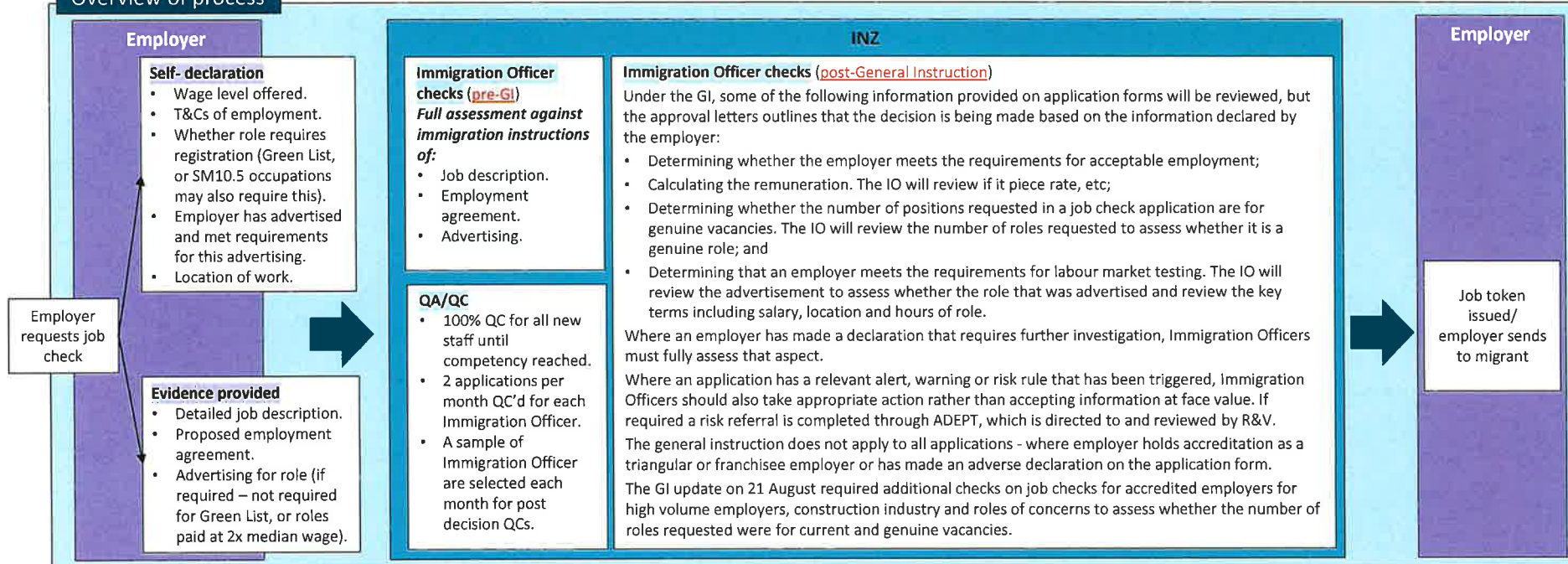
- More likely to detect and decline: businesses set up for immigration purposes, labour hire companies claiming standard accreditation, same person seeking accreditation for multiple companies, non-financially viable companies.
- Increasing withdrawal rate is mostly associated with triangular employers being challenged when applying for standard accreditation.
- Too early for data on overall impact on detecting (or deterring) less genuine or precarious employers.

# Current process: Job Check

## Purpose

The purpose of the job check is to ensure there are no New Zealanders available to do a job. This aims to support local employment opportunities and ensure employers are offering attractive wages to New Zealanders, before they look to recruit migrants. The job check also helps ensure migrants recruited into New Zealand on an AEWV are mostly filling higher-skilled roles.

## Overview of process



## Operational and service impacts

Date	March 2023	Sept 2023
FTE	22 FTE	15 FTE
Volumes	<ul style="list-style-type: none"> <li>Avg 2,382 received/month</li> <li>In-progress: 1,077</li> <li>Completed YTD: 25,050               <ul style="list-style-type: none"> <li>Approved: 24,726</li> <li>Declined: 17</li> <li>Withdrawn: 307</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>Avg 2,963 received/month</li> <li>In-progress: 3,233 (related to implementing new GI and increased scrutiny affecting productivity)</li> <li>Completed YTD: 46,298               <ul style="list-style-type: none"> <li>Approved: 45,660</li> <li>Declined: 67</li> <li>Withdrawn: 571</li> </ul> </li> </ul>
Processing time	73% completed within 10 days.	76% completed within 10 days. 50% of in-progress older than 10 days.
PPI and decline rate	Rate of decline approx. 1.8 per month since June 2022.	Rate of decline approx. 7.2 per month since March 2023. Employer complaints about scrutiny increasing.

## System adjustments and impact

### Tightening of assessment (including June and August GI changes) focused on detecting non-genuine jobs:

- Approximately half of employers are now being asked for more evidence of genuine roles at the job check. Trigger when employer is: triangular, franchise, high volume, looking for roles of concern (incl. cook, retail manager, dairy farm worker), in construction industry, in an industry unlikely to require number of roles requested. IOs have the ability to refer to risk experts if concerns with potential for suspension or referral for post-accreditation checks.
- We have established risk monitoring pre-decision. This will provide increased data on which additional risk controls can be built, such as risk rules triggering more scrutiny on other key risks factors (such as operation in construction sector).

### Impact of changes on key immigration risks:

- Likely better placed to detect: applying for vacancies the employer has not actually tried to recruit for, non-genuine jobs.
- Better use of suspension powers is freezing job check processing when factors or concern identified (such as not correct accreditation for labour hire, hidden agent, or exploitation concerns).
- Higher engagement with employers on large vacancy requests. A reasonable proportion alter request as misunderstood it must be current vacancies. Anecdotally, only a small proportion appear to be non-genuine jobs.
- Still seeing high proportion of roles requiring no skills or experience (approx. 35%). No grounds to decline for just that (and will be valid for many roles), but can be factor that leads to review and further declines or suspension.

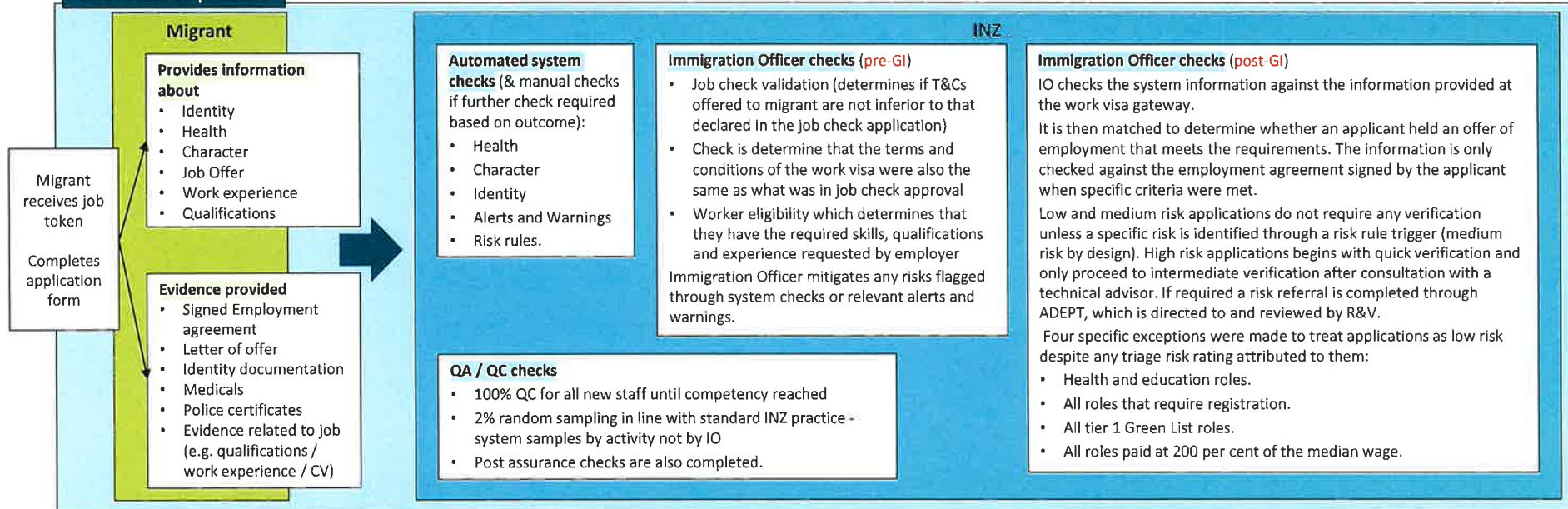


# Current process: Work Visa

## Purpose

The purpose of the migrant-led work visa gateway is to ensure that non-New Zealand citizen or resident workers with an offer of employment to work in New Zealand for an accredited employer are of good character and health, and that they are suitably qualified to do the job offered.

## Overview of process



## Operational and service impacts

Date	Aug 2022	Sept 2023
FTE	38	61
Volumes	<ul style="list-style-type: none"> <li>7 weeks open.</li> <li>2,284 work visa applications received, 139 (6%) completed.</li> </ul>	<ul style="list-style-type: none"> <li>Submitted: 95,600, avg ~6,000/month.</li> <li>In-progress: 6,452</li> <li>Completed YTD: 86,299                             <ul style="list-style-type: none"> <li>Approved: 86,043</li> <li>Declined: 1,123</li> <li>Withdrawn: 1,748</li> </ul> </li> </ul>
Processing time	End-to-end Work Visa processing in ADEPT from end of Sep 2022.	60.6% completed in 20 days or fewer YTD.
PPI and decline rate	Decline rate has increased from 2.5 declines per day in the first year, to 7.1 per day in Aug 2023. The average approval rate for all offshore applications is 90%.	

## System adjustments and impact

- Tightening of assessment (including June and August GI changes) focused on countering action by mal fide applicants:*
- Checking the declared remuneration and hourly rate match the employment agreement and what was approved at the job check.
  - Checking the location, job description, job title and hours of work match what was approved at the job check.
  - We have established risk monitoring pre-decision driving a review of a proportion of application by risk experts pre-decision. Specific advice on risk detected and appropriate treatment of these applications is available to IOs.
- Impact of changes on key immigration risks:*
- Likely better placed to detect: alteration in key employment details between job check and work visa application.
  - More scrutiny on bona fides and intent. As increased comments are sought related to nature of work, suitable experience or hidden agents we are seeing increased decline and withdrawal rate. Expect to see this shift in approach to effect customer behaviour.
  - Detecting premiums being paid for employment offshore remains challenging, as well as proof of direct connection to employer.
  - Migrant bona fide checks and role have contributed to suspension decisions in a few cases to date.
  - Expect to see changes to profile of Work Visa applicants as benefits from changes to accreditation and Job Check gateways take effect.

# Current process: Post-accreditation

## Overview of each stage

### AERMR

- As part of the accreditation application process, employers are advised that there may be follow-up checks to ensure that the undertakings and declarations they make during the application are correct and they are a good migrant employer.
- INZ has developed a system, known as the Accredited Employer Risk Monitoring and Review (AERMR), for checking employers after they have successfully passed through the AEVV application process and obtained accreditation. These checks can occur at any time post-accreditation.

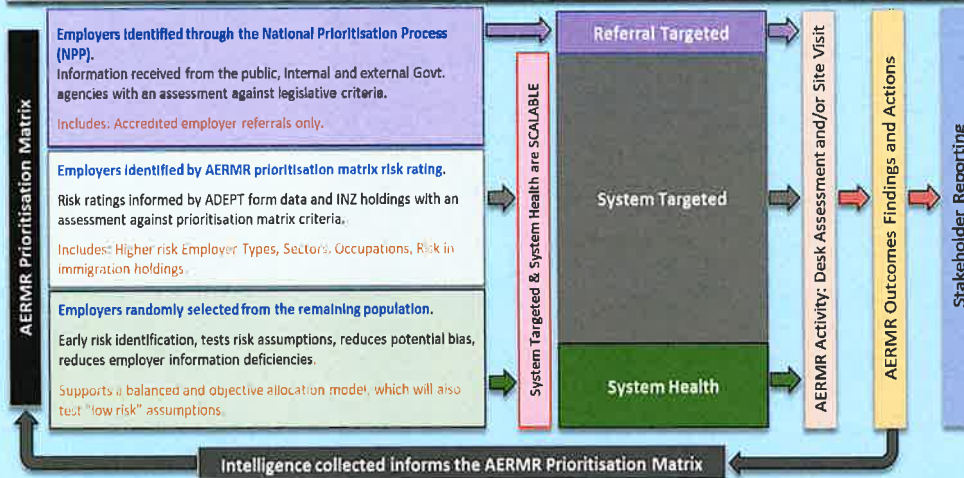
### Suspensions and revocations

- If INZ believes an employer is not meeting their obligations, we will undertake further investigation and engagement with the employer and possibly other agencies such as Immigration Compliance & Investigations, the Labour Inspectorate and NZ Police.
- If an issue is minor, we may give suggestions for improvement. Major issues can result in a stand-down, fines, or a permanent ban from supporting migrants on work visas.
- Where there is an active investigation or case pending for potential non-compliance, INZ may suspend an employer's accreditation for up to 3 months at a time.
- Where there is a prosecution underway for potential non-compliance, INZ will suspend an employer's accreditation until the outcome of the prosecution.
- INZ will revoke an employer's accreditation where it is determined that the employer no longer meets the requirements of employer accreditation.
- As at 13 September 2023, 30 employers have had their accreditation revoked and 21 have had their accreditation suspended.

### Re-accreditation

- All accredited employers' initial accreditation lasts for 12 months (although a one-off extension was granted meaning any employer who applied for accreditation before 4 July 2023 would receive a 24 month first accreditation).
- When accreditation is due to expire, an employer must apply to renew it.
- Once renewed, an accreditation will last for:
  - 24 months for standard businesses, as long as it had not lapsed for 12 or more months; or
  - 12 months for franchisees and triangular employers.
- When an employer applies to renew their accreditation INZ may ask for evidence they have completed activities they committed to do during the previous accreditation period.

## ACCREDITED EMPLOYER RISK MONITORING AND REVIEW PROGRAMME: PROCESS FLOW



### July 2022 – Introduction

- AERMR implementation delayed by six months to redirect resource to support risk management in other visa categories to support reopening.
- Greater dependency on Intelligence products and risk reports to inform risk settings pre-decision than originally anticipated.

### Dec 2022 – Commenced

- Selection of employees for AERMR checks are intelligence driven, directing the most effort to employers deemed to pose the greatest risk.
- Initial rollout focussed on testing and implementing tools, processes and systems prior to full implementation of desk-based checks.
- 30 Verification Officers are fully trained in AERMR activities.

### September 2023

- Entering next phase of post-accreditation check implementation which includes completion of site-based checks
- Review of risk rules will improve the ability to detect and action non-genuine employers. Some initial proof of concept tests have picked up a range of employers.
- The most recent refresh of intelligence will enable more targeting of risk factors for post verification checks (which can include factors such as lack of known affiliation to key business groups, evidence of shorter operation periods, and high migrant number requests).

## Key operational and risk impacts

- As at 14 September 2023, 2161 post decision checks have been carried out with 861 completed. Significant concerns have been found in 18 of the 915 completed AERMR case load. Of this, 15 are linked to high volume employers (2.31% of the 649 reviewed)
- As at 14 September 2023, 30 current Verification Officers have been trained to conduct AERMR activities. 25 FTE were originally recruited to conduct this work. Training continues and all Verification Officers onshore will be trained to complete post-accreditation checks.
- On track to deliver 15% of checks of all accredited employers with migrants onshore by December 2023 (one year since AERMR commenced).
- Where significant concerns are identified through AERMR, these are referred for suspension, revocation or investigation.
- To date: 49 revocations, 20 suspensions. Most revocations are the result of liquidation, whereas suspensions relate to investigations.

## Key immigration risks and responses

Current risk	What are we checking now?	What impact are the things we're doing having?
Business being created for immigration purposes New and smaller employers without a track record	<ul style="list-style-type: none"> <li>Asking for more financial records up front from all triangular and franchise employers. Increased finance analysis support for officers.</li> <li>Businesses trading for less than 12-months have always been required to provide financial records.</li> <li>Risk rules updated and being triggered for higher scrutiny. Risk factors include: (e.g. construction / labour hire, hospitality and retail)</li> </ul> <p><b>Underway</b></p> <ul style="list-style-type: none"> <li>Investigating options for enhanced and more regular checks against MBIE registry information.</li> </ul>	<ul style="list-style-type: none"> <li>Too early to tell, but expect that current processes mean this is more likely to be picked up.</li> <li>More likely to pick up people seeking to gain accreditation for multiple companies – have done so already via use of the same bank statement.</li> <li>More likely to identify discrepancies between what employers have declared in regards to financial viability, and what has been provided in their supporting documents (i.e., declared no losses made in the past 6 months, but financial documents indicate otherwise).</li> </ul>
Employers mis-declaring their accreditation type	Immigration Officers are checking if they appear to be a different type of employer than claimed.	<ul style="list-style-type: none"> <li>Reasonably high number of withdrawals, full impacts still to be determined.</li> <li>Keeping control over applicants at a good point in the system so that we can then take a careful approach and not have them immediately re-try at another avenue.</li> <li>More likely to identify triangular and franchisee employers incorrectly applying under high volume or standard accreditation.</li> </ul>
Employers with complaints against them	<ul style="list-style-type: none"> <li>More referrals through to AERMR referred targeted channel and investigations, increased use of suspension and revocation powers.</li> <li>Clarification of instructions for use of suspension.</li> </ul>	Increasing use of suspension and revocation in response to significant concerns identified.
Labour Hire companies with high volumes	<ul style="list-style-type: none"> <li>Checks are undertaken where risk is identified at each of the three AEWV gateways and all triangular employers are being selected for post-accreditation checks, with 50% receiving site visits in the first year.</li> <li>Triangular employers as a group are currently being reviewed to understand better whether current risk settings are operating effectively.</li> <li>Test of 15% NZ workforce and 12-month history of employment done by declaration (considering tightening).</li> </ul>	No insights yet on greater scrutiny or from AERMR.
Implausibly high volume of vacancies being applied for Not genuinely testing New Zealand labour market	<ul style="list-style-type: none"> <li>Consideration of the nature of the request against company size and history and recent migrant recruitment and retention behaviours.</li> <li>Increased scrutiny to identify areas of concern – inflated or deflated job positions, non-genuine vacancy advertising and false job offers, financial capability of the employer to support proposed roles</li> <li>Accept employer has tested labour market if they provide evidence of advertising (no policy requirements beyond this). Requirements for evidence of advertising are relatively light – just need to provide text and dates of advertising and generally accept this at face value.</li> </ul>	<ul style="list-style-type: none"> <li>Scrutiny level getting quite high. ✓</li> <li>Commonly seeing the number of positions reduced for roles when employers are questioned (including for roles of concern such as builders labourers). <ul style="list-style-type: none"> <li>e.g. In one application an employer requested 40 tokens. After contacting the employer, the number of tokens was reduced to 3. In another application an employer submitted a request for 20 building labourers, this was reduced to 2 after a phone interview with the employer. ✓</li> </ul> </li> <li>Employer behaviour indicates many are requesting more positions than they require due to not understanding the rules on current vacancies.</li> </ul>
Higher pay rates for migrants	<ul style="list-style-type: none"> <li>Not against current explicit immigration policy, but is against employment law. ?</li> <li>Almost all assessment done on basis of being above median wage. Very little testing on market rate.</li> </ul>	<ul style="list-style-type: none"> <li>Not tightened</li> <li>Some anecdotal suggestion of higher pay for migrants in some sectors (e.g. dairy), will consider further testing of scale of issue in future.</li> </ul>
No/implausibly low skill requirements on skilled jobs	<ul style="list-style-type: none"> <li>Policy does not require employer to set minimum work experience or skill level (would have made it difficult for them to decline a jobseeker under median wage).</li> <li>Can be a factor alongside who an employer appoints into the role for referring to review as indicator of non-genuine employment.</li> <li>Incentives for employers not setting out the actual skills they need – no checks unless they state skills are needed – outcome that people come in without the necessary skills (e.g. dairy).</li> </ul>	<ul style="list-style-type: none"> <li>No qualification and no work experience (approx. 35%).</li> <li>Too early to see impact of referrals to AERMR or further checks where there is a pattern of concern in an employer's appointment behaviour.</li> </ul>
Paying premiums for the role	<ul style="list-style-type: none"> <li>Check at AEWV application stage – ask migrant if they have paid a fee for the job.</li> <li>Often will be made aware via a complaint.</li> <li>Also checks through AERMR.</li> <li>Challenging to prove employer is receiving a cut of the premium – usually charged through offshore agents. No ability to revoke accreditation if can't prove that employer received a cut.</li> </ul>	<ul style="list-style-type: none"> <li>Declining/cancelling visas and preventing travel where evidence of premium paid offshore.</li> <li>No action being taken against employers when no evidence of them receiving a cut.</li> </ul>



## Key immigration risks and responses

Current risk	What are we checking now?	What impact are the things we're doing having?
Migrants in exploitative employment situations	<ul style="list-style-type: none"> <li>Further risk controls have been introduced into the processing of applications informed by enhanced engagement with Risk &amp; Verification.</li> <li>Pre-decision Risk Monitoring and Review (RMR) established from 1 September to inform further enhancements to controls. Risk setting changes were informed by early indications from AERM and pre-decision RMR.</li> <li>Roles of concern are included for extra scrutiny at job check stage. Roles are based off longer-term experience with role inflation, exploitation, and other factors. Includes chef/cook, dairy farm workers, retail and hospitality managers.</li> </ul>	<ul style="list-style-type: none"> <li>182 employers are under active investigation by MBIE.</li> <li>No intel yet on impact of tightening, however initial insights are that some employers are reducing number when queried.</li> </ul>
Responding appropriately to likely cases of exploitation	<ul style="list-style-type: none"> <li>Active investigations such as Operations COTTAGE and GULLY.</li> <li>Significant concerns about 132 employers as a result of the insights gathered through recent migrant exploitation cases as well as the post-accreditation (AERM) checks which are underway.                             <ul style="list-style-type: none"> <li>86% relate to high-volume employer accreditation, 7% triangular accreditation 5% franchisee accreditation.</li> <li>119 (90%) went through the manual assessment process, 13 (10%) went through the automated process.</li> </ul> </li> <li>Of the 28,509 accredited employers accredited to date, 182 (0.64%) have an active investigation underway, including the 132 noted above.</li> </ul>	<ul style="list-style-type: none"> <li>Resources allocated from across MBIE to respond.</li> <li>Investigations underway.</li> </ul>
Too high of a threshold for use of suspension and revocation powers	<ul style="list-style-type: none"> <li>Work is ongoing to calibrate the threshold for action with the range of evidence of risk indicators.</li> <li>Group meeting weekly to discuss cases and calibrate threshold.</li> <li>Changes to instructions to clarify threshold.</li> </ul>	<ul style="list-style-type: none"> <li>Use of these powers is increasing.</li> <li>Enhanced use of suspension powers to reduce entry to NZ by those associated with employers or concern.</li> </ul>
Tightening of settings is not informed by up-to-date intelligence on risk factors	<ul style="list-style-type: none"> <li>Updated intel product commissioned to inform prioritisation matrix for selection of employers.</li> <li>Pre-decision RMR commenced from 1 September 2023 for a period of 10 weeks. The insights gathered from this additional RMR activity alongside AERM will inform enhancements to pre-decision risk controls.</li> <li>AERM is the primary method by which INZ identifies risks under AEWV, but Immigration Officers assessing applications under AEWV are also identifying risks and MBIE Intelligence also contributes to risk identification. INZ is using those findings to adapt their approach for future applications.</li> <li>Work is underway to enhance Intel reporting to Risk &amp; Verification focussed on Accredited Employers.</li> </ul>	<ul style="list-style-type: none"> <li>Deferral of the implementation of AERM has resulted in a delay in the availability of Insights to inform risk management pre-decision. This has driven a greater dependence on intelligence reporting, risk reporting and processing insights to inform risk settings.</li> <li>Impacts of updated risk rules still to be seen.</li> </ul>
Investigation and review activity exceeds capacity to respond	<ul style="list-style-type: none"> <li>All onshore VOs being trained to completed post-accreditation checks.</li> <li>13 FTE VOs recruited commencing Oct 2023. BAU Verification activity will be completed by new VOs to release experienced VOs to conduct AERM.</li> <li>R&amp;V referral processes being centralised from Oct 23 to allow movement of work across VTs to release VOs in Auckland and Christchurch to conduct site-based checks.</li> <li>Enhancement of suspension instructions to allow for additional time for suspension.</li> </ul>	<ul style="list-style-type: none"> <li>Requirement for Request for information greater than originally anticipated due to limited requirements for submission of evidence pre-decision.</li> <li>Monitoring capacity.</li> </ul>





## Potential scenarios and responses following recent tightening

### A new employer declares they were operating for longer

- Company Office records will be reviewed in post-decision check if employer is selected.
- Request for information will be conducted (financial documents for triangular or franchise, or companies that appear to be triangular or franchise or where there appears to be risk factors).
- Check will be closed with Concerns or Significant Concerns dependent on response and may result in referral for suspension or revocation of accreditation.

### Labour hire company

- All Labour on hire companies will be selected for desk-based post decision checks. If concerns identified during desk-based assessment, check will include site-based check.
  - Site-based check may still be conducted where no concerns are identified as 50% of labour on hire business checks will include a site-based check.
- Plans to monitor controlling third parties for migrant wellbeing and safety; Immigration breaches.
- Financial documents where genuine business concerns have been identified. As at 11 September 2023 Immigration Officers are requesting financial for all triangular & franchisee employers including those operating for more than 12 months.

### Employer with no history in New Zealand, little public presence

- This is a risk factor, especially combined with requests for large number of JC with low/no skill requirements and higher-risk sectors. New approach means that these factors are now flagged and IO can follow up with questions and requests for evidence.

### Employer does not provide fulsome financial evidence

- Likely to be declined on the basis of true financial situation; declarations of a loss or a business loan as evidence of available external capital would now require more information, supported by the changes to the financial evidence required at the accreditation gateway.
- Companies Office information is also being shared with INZ about liquidation status.

### Employer has a large number of Job Checks for their size

- Interview the client and if concerns not alleviated, request further evidence of contracts, etc.
- Request for details of employee ratio and financial viability information will be made at post-accreditation check if company is franchise or triangular.
- Likely to be scaled or declined if unable to satisfy Immigration Officer the roles are genuine and current. Evidence of work contracts may be asked for.
- Potential that check will result in a site-based visit if concerns regarding genuineness of roles are identified.

### Allegation of breach of accreditation requirements

- INZ receives an allegation of breach of accreditation requirements (such as allegation of payment for jobs, migrant exploitation).
- Initial review of allegation completed by NPP. Record of allegation added to employer records through addition of an alert/warning to AMS and ADEPT.
- Allegation triaged to identify appropriate team for action (Labour Inspectorate, Compliance, Investigations, Risk and Verification)
- Where an application for Accreditation, Job Check or Work Visa is made for the employer, this will trigger a risk activity highlighting the allegation made against the employer
- Risk referral made by IO to Risk and Verification for advice on the nature of the allegation and requesting advice on appropriate mitigations
- Risk and Verification review allegation records, determine appropriate action and ensure deconfliction from any open investigations. Actions recommended may include a request for information from employer, further verification (may include a site-visit pre-decision or request for information to another agency), pause on processing, or referral for suspension or revocation (depending on the nature of the allegation).

### People supporting several different accreditations

- Investigate and if there are concerns refer employer to have their accreditation revoked. This is a live example.

### Request for large number of roles

- Live example (currently going through suspension process): flagged for premium being paid, clients not having understanding of role they are coming to, concerns on bona fides, hidden agent.
- With new guidance on job checks Immigration Officers can speak to employer about need for so many roles, and follow up with RFI to corroborate, look at past history of employer.



## Timeline: General Instructions

	Job Gate	Work Visa	Visitor Visa	Student Visa
July 2022	Introduced. Certain information assessed at face value for some applications to support efficient processing and education over enforcement approach.			
Aug 2022		Introduced. Interim approach introduced of checking job check approval letter against information provided at work visa gateway. Low risk and medium risk applications do not require any verification unless risk rule triggered – high risk applications begin with quick verification.		
Sept 2022	Extended. No change.	Extended. No change.	Low touch approach for applications triaged as low risk and medium by default.	
Oct 2022			Extension of previous instructions, and low touch approach for applications which triage as medium risk.	
Nov 2022			Streamlined approach introduced for some visitor applications which triaged as high risk (an application that includes certain elements which are more likely to lead to a decline decision e.g. previous declined application, coming from high risk province, being associated with an agent with poor immigration history).	Info for low risk applications taken at face value – in line with SOPs prior to introduction of the general instructions. Face value acceptance of info provided in medium risk applications as long as no risk rule outlined in the GI is triggered.
Jan 2023			Extended. No change.	
Feb 2023	Extended. No change.	Extended. No change.		
Apr 2023			<b>Tightening of controls.</b> Removal of the streamlined approach for high-risk applications from the general instructions.	Extended. No change.
Jun 2023	<b>Tightening of controls.</b> Indications that the settings introduced by these instructions are being tested by mala fide applicants, and extension of the instructions in their current form will see this trend continue to develop. Changes include: <ul style="list-style-type: none"> <li>• Checking that the advertisement is for the role declared at the job check.</li> <li>• Checking the location, legal entity, employment type and role information declared matches that on the employment agreement and where relevant, the advertising.</li> <li>• Removing applications from the GI approach where employers have had more than previous 50 job tokens.</li> </ul>	<b>Tightening of controls.</b> Indications that the settings introduced by these instructions are being tested by mala fide applicants, and extension of the instructions in their current form will see this trend continue to develop. As a result, changes made: <ul style="list-style-type: none"> <li>• checking the declared remuneration and hourly rate match the employment agreement and what was approved at the job check.</li> <li>• checking the location, job description, job title and hours of work match what was approved at the job check.</li> </ul>	<b>Tightening of controls.</b> Extension of above instruction, with a change for applications triaged as medium risk. Immigration Officers now open all the documents provided and quickly check the documents to determine if the content raises any obvious concerns.	
Jul 2023				<b>Tightening of controls.</b> General Instruction retired.
Aug 2023	<b>Tightening of controls.</b> Excluding high volume employers and construction sector roles from face value checks when determining whether the positions requested in a Job Check application are for genuine vacancies.	<b>Tightening of controls.</b> Adding advice from risk and verification as a criterion for determining that verification is appropriate at the work visa gateway.	Review underway into current processing approach for visitor visa applications.	