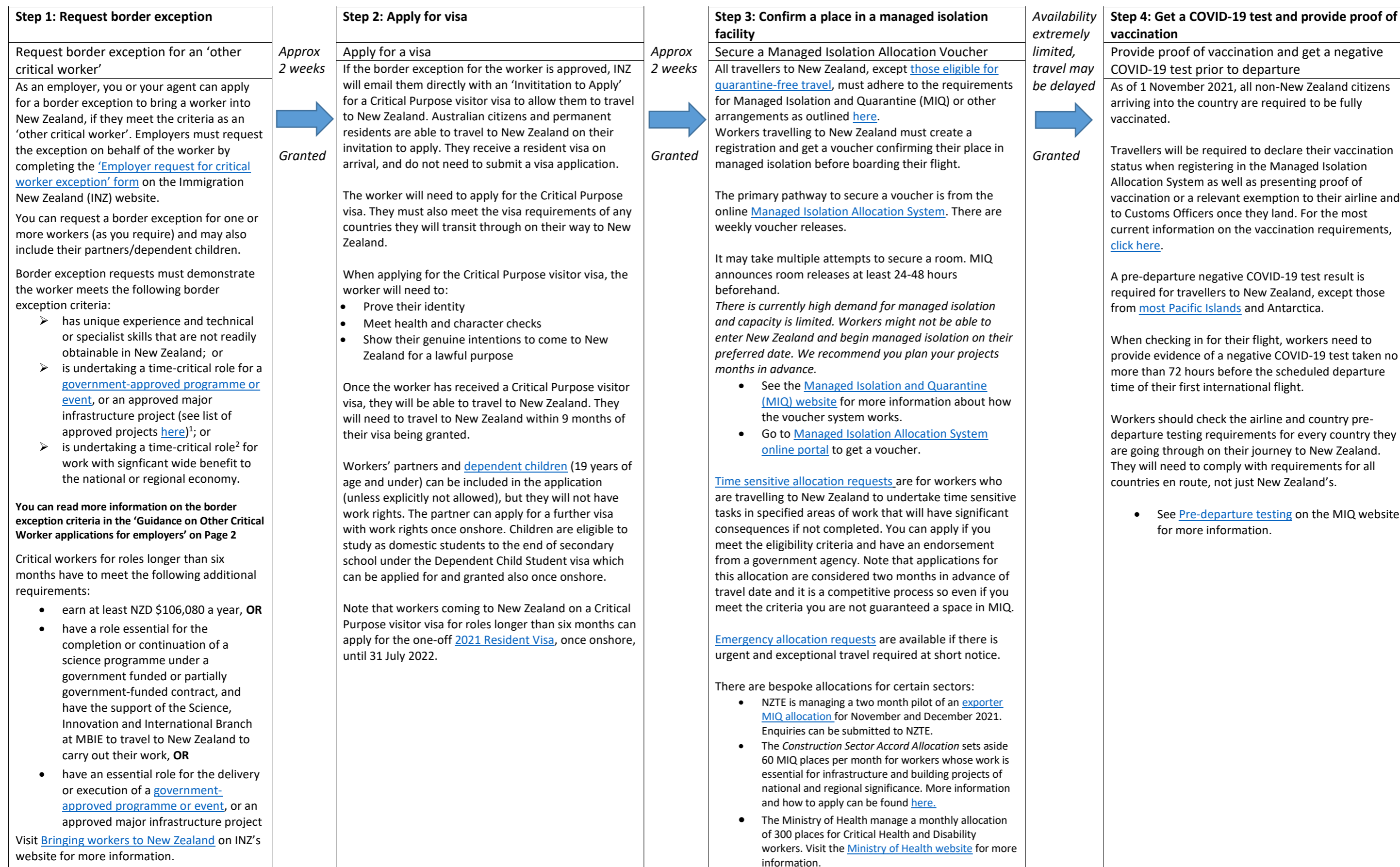


## Getting your critical workers to New Zealand – information for employers

There is a four-step process to meeting the requirements to travel to New Zealand. Border restrictions are currently in place and a border exception is the only way to bring workers into New Zealand. New Zealand citizens, permanent residents and some [residence class visa holders](#) do not need to apply for a border exception or visa. The criteria sets a high bar to ensure that New Zealanders are the first in line for jobs and to limit the number of people seeking to enter New Zealand due to Managed Isolation and Quarantine (MIQ) constraints.



<sup>1</sup> If your project is not on the list you can apply to the Infrastructure Commission to have your project included. This option is for infrastructure projects over \$100 million.

<sup>2</sup> This includes if the person does not come to New Zealand, the project, work or event will cease or be severely compromised, or significant costs will be incurred

## Guidance on Other Critical Worker applications for employers



### Demonstrate that the experience and skills in the role are not readily obtainable in New Zealand

There is a high threshold for the border exception compared to previous pre-COVID visa categories. This is to ensure that New Zealanders are the first in line for jobs and to limit the number of people seeking to enter New Zealand due to Managed Isolation and Quarantine (MIQ) constraints.

Before you submit a request for border exception, you will need to demonstrate that the unique experience or technical/specialists skills required in the role are not readily obtainable in New Zealand.

**Unique experience... not readily obtainable** could be evidenced by the worker having particular knowledge and capabilities and/or proven excellence in their field being unparalleled to what can be found domestically. An example is a highly experienced international supply chain logistics coordinator with extensive networks to New Zealand's top export markets.

**Technical/specialist skills... not readily obtainable** can be specialised training at an institution or working in a highly specialist firm, that may only be obtainable overseas. An example is a Boeing-authorized aircraft safety assessor.

**To demonstrate that the experience or skills are not readily obtainable in New Zealand** it helps to provide clear and comprehensive evidence that proactive steps have been taken to fill in the role within New Zealand and state the outcome of these recruitment efforts.

You will need to provide information that shows that there is a critical workforce gap in New Zealand for the specific role. Your relevant industry/sector body may have information that you can refer to in your application - for example, the tech sector have a few [resources published by NZTech](#) to support their application.



### Show what impact the worker has on a major infrastructure project, approved event or programme

If it can be shown that without the worker coming to New Zealand, the work on a project, event or programme is at threat of being severely compromised or that costs will increase significantly, you may be able to argue the role is **time critical**. For example, the requirement for deep tunnel drilling specialists to commence the burrowing of a new underground highway which is a significant infrastructure project may qualify for a border exception given the time critical nature of the work.

If the role is **essential**, you must show that the worker needs to be onshore and that their skills are immediately required to enable delivery, completion or continuation to a project, work or event. Therefore you must build a strong and detailed case on the extreme consequence in timing, costs, international obligations, national development or associated factors with the worker not being in New Zealand.

### Remember that there is a high threshold to satisfy

In addition to not meeting the unique experience or technical/specialist skills that are not readily available in New Zealand, some examples of reasons requests are declined include:

- the role is not highly-skilled and training is available OR the role is highly-skilled but the skill set is not unique
- the salary is not competitive to attract the domestic labour market available
- the worker is able to carry out their work remotely OR the worker's impact to the cost and progress of the project, event or programme is not significant



### Class exceptions and other Border exceptions

Workers may also be eligible to enter via a class border exception as an approved class of worker.

Applications for class exceptions require industry sectors to work with a sponsoring government agency to develop a class exception request which is considered by the Border Exceptions Ministerial Group who will then decide whether a proposal is referred to Cabinet for approval.

Ministers consider exceptions for classes of critical workers where the workforce is needed across a range of employers and current Other Critical Worker criteria do not enable entry:

- a critical workforce gap cannot be filled (in total) domestically
- labour market risks for New Zealanders are minimal or industry can put in place conditions that will support improvements
- will not undermine objective of reducing reliance on low-skilled migrants and improving quality of jobs in a sector
- has minimal impact in MIQ

Non-workforce categories, such as students, may also be a class exception.

A full list of current class exceptions can be found [here](#). Each class exception has its own process. If you think your worker falls within a class exception you should contact your industry sector body in the first instance.