

THE TEMPORARY MIGRANT WORKER EXPLOITATION REVIEW:

A summary of changes

As part of the Temporary Migrant Worker Exploitation Review and its response to COVID-19, the Government recently announced changes to reduce the exploitation of temporary migrant workers, including international students. The changes will support people in New Zealand to be in safe and fulfilling work, and businesses to operate with confidence on a level playing field.

Migrant exploitation leads to serious negative outcomes for...

MIGRANTS

Exploited migrant workers suffer physical, psychological, and financial harm. This harm extends to their families both within New Zealand and in their country of origin.

BUSINESSES

Compliant employers that promote fair and productive employment relationships are undercut by exploitative employers. This may render the business unsustainable.

NEW ZEALANDERS

Exploitation facilitates crimes that affect the wider community, such as fraud and money laundering. Exploitation also puts pressure on tax and healthcare systems.

OUR INTERNATIONAL REPUTATION

Migrant exploitation damages our international reputation as a non-corrupt, safe place to work and live.



The changes being implemented represent a coordinated end-to-end set of policy and operational changes to reduce migrant exploitation in New Zealand. They will be implemented in stages. Some of the changes require legislation, which would go through the full Parliamentary process. Other changes will come into force within the next year.

PREVENT

the occurrence of workplace (and other) conditions that might enable temporary migrant worker exploitation.

- › Introduce a duty on third parties with significant control or influence over an employer to take reasonable steps to prevent a breach of employment standards occurring.
- › Require franchisees to meet higher accreditation standards under the employer-assisted visa gateway system.
- › Disqualify people convicted of migrant exploitation and people trafficking from managing or directing a company.

PROTECT

temporary migrant workers in New Zealand and enable them to leave exploitative employment.

- › Establish a dedicated migrant exploitation 0800 phone line and online reporting, and establish a specialised migrant worker exploitation-focused reporting and triaging function.
- › Create a new visa to enable temporary migrant workers to leave exploitative employment situations.

ENFORCE

immigration and employment law to deter employer non-compliance through a fit-for-purpose offence and penalty regime.

- › Establish three new immigration infringement offences targeting non-compliant employer behaviour.
- › Allow Labour Inspectorate to issue an infringement notice where employers fail to provide requested documents in a reasonable timeframe.
- › Expand the stand down list to cover existing Immigration Act offences. Ensure employers with serious immigration convictions cannot support applications for migrant workers.
- › Notify impacted migrant workers that their employer has been stood-down.

These changes will be supported by: increased funding for Employment New Zealand and Immigration New Zealand to work together to ensure that serious action is taken against non-compliance, and a new information and education action plan to ensure that migrant workers and employers understand their rights and obligations.



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Find out more at: mbie.govt.nz/exploitationreview