

TEMPORARY MIGRANT WORKERS





TEMPORARY MIGRANT WORKERS



employment.

of migrants are satisfied with their employment

Driven by the dream of living a life in New Zealand,

most migrants are satisfied and grateful for their



As part of the temporary migrant worker exploitation research programme, Kantar Public surveyed **964** temporary migrant workers in late 2021 to understand their experiences and what segments exist.

However, the gratitude of having a job may be causing migrant workers to downplay or accept employment issues. Nearly 3 in 10 migrants have at least one of the workplace concerns measured.



Top 4 concerns:

Paid less than

7% Workplace racism

5% Underpayment



5% No breaks

Top 5...

Visa types

7%

26% Essential skills

Partner work 21%

Student and work **17%**

Working holiday Long-term skill shortage 4%

Nationality groupings

15%

Chinese 13%

Filipino 12%

Indian **12%**

6%

European

Fijian

8%

Kiwi colleagues

The potential for migrant workers to be isolated and unsupported is high

country

NZ workers

40%

have family or relatives living in NZ

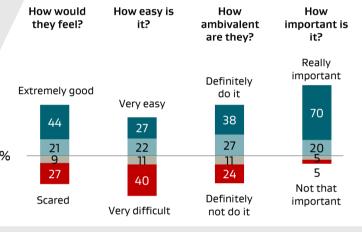
22%

belong to an ethnic association or migrant community group (usually social media)



belong to a union

For migrant workers, speaking up about their employment rights is not easy. Though they might want to do it, and feel that it is important, the fear and difficulty of doing so would hold many back.



For many migrants, having a job is essential. Their ability to support their family (both in NZ and back home) and their ability to stay in NZ depends on it. For this, they may be willing to endure poor conditions and put up with things against the law.

% Agree

It's essential I stay in this job so I can financially support me

Working conditions in NZ are much better than in my home

Staying in my job is essential for me to get NZ residency I can't expect to have the same employment conditions as

30%

74%

My employer sometimes does things that are against NZ employment law

Many migrant workers don't know much about their rights. This is not uncommon for New Zealand workers overall.



38%

of migrant workers know a little or nothing at all



of benchmark workers know a little or nothing at all

Media use is fragmented across different social media platforms, mainstream and community channels.

use social media

66%

use mainstream media

use ethnic community media Government websites and personal contacts are a key resource, but they also desire a proactive, 'push' approach to education on employment rights:



want information pre visa application

want information during visa application

want ongoing information to help them settle into NZ

"Earlier when I just started working here I was very new to it all, worked long to manage situations so I won't put up with it. - Indian worker (qualitative research)

could be at higher risk of exploitation. Some are disheartened - with low knowledge and high insecurity. Others are more knowledgeable but trapped in their employment situation. These workers are less positive, less secure,

more fearful, and more

isolated than other workers

Around a third of migrants

KANTAR PUBLIC



hours with no extra pay but now I know a lot more about what is wrong and how

CAPABLE High awareness and knowledge of employment rights employment rights Low risk of exploitation Secure employment

Compared to other segments, higher % of Filipino (15%) and Pacific (12%) workers. 43% 23% Lower risk of exploitation

NAÏVE, BUT UNEXPLOITED

- Below average knowledge and awareness of employment rights
- Low risk of exploitation
- Less reliant on job
- More positive about employment situation

Compared to other segments, higher % of Europeans

More knowledge about

24%

employment rights

KNOWLEDGEABLE, BUT TRAPPED

Higher than average knowledge and awareness of employment rights

"Only under extreme circumstances will I consider leaving my job. Otherwise I'd be

'out of the frying pan into the fire' [needing to find another employer to support their long-awaited residence visa application]. I'd stay in the job so long as there's

a glimpse of hope." – Chinese worker (qualitative research)

- Higher risk of experiencing exploitation
- More reliant on job for financial or visa reasons Feel sense of strong obligation to employer

Compared to other segments, higher % of Chinese workers (20%), workers over 35 years (38%), and men (55%).

Especially prevalent in retail (43%), construction (34%), hospitality (29%) and transport (23%) sectors.

Higher risk of exploitation

DISHEARTENED

- · Low knowledge and awareness of employment rights
- Highest risk of exploitation
- Most insecure and fearful about employment situation
- Consume less media than other segments

Compared to other segments, higher % of working holiday visas (23%), South Americans (17%), women (52%) and young workers (75% under 35).

Less knowledge about Especially prevalent in horticulture (31%), aged care (21%), manufacturing (19%) and hospitality (13%) sectors.

"Where else do I go? It is very hard to find a job here in NZ. There is a fear of going back to India. What if my visa got declined/residency got declined? It is a good life out here, life is easier, comfortable." – Indian worker (qualitative research)

"We are alwavs respectful but the main reason whv we can't speak up is because we don't know what we are entitled to, and who and where to go for help.' Samoan worker (qualitative research)



EMPLOYERS OF MIGRANTS



EMPLOYERS OF **MIGRANTS**

As part of the temporary migrant worker exploitation research programme, Kantar Public surveyed 1,345 employers in late 2021 to understand their experiences of employing migrant workers and what segments of employers exist.

Top industries

17% Hospitality

Construction 14%

Manufacturing 13%

9% Dairy farming

7% Retail

7% Technology

5% Health

Top ethnicities of workers in the business

Indian 42%

29% Filipino

23% European

South African 21%

Chinese 15%

Fijian 10%

Sri Lankan 9%

Most employers of migrants surveyed seemed to have a good understanding of employment law.

Employers feel they understand employment rules and regulations in NZ...



42% Very well **45%** Well

13% Not well

14 of the 20 aspects of employment law tested were each correctly understood by at least 80% of employers of migrants

Understanding was lowest for worker rights about...









Contracting

Payment for overtime

Working without pay to demonstrate

A worker doing a different role to what they were employed to do

50%

66%

75%

76%

90-day trial period

79%

Q

Many employers currently search for information online and visit government websites, but most would prefer a dedicated website and helpline.

64%

have searched online for information about employment rights

25%

found it difficult to find what they needed online

www

Top 2 preferences for learning and support:

82%

Dedicated website to employment law

Most feel obliged to honour their employment obligations, though they do feel that keeping up

with them is not necessarily easy. Most believe that laws are more likely to favour workers.

72% Employer helpline

Employers can be reached through both mainstream media and community media, and many belong to some type of group.



use socia media

use ethnic

of Chinese employers

belong to a business/industry,

religious, ethnic or community group

community media



41%

mainstream

of Indian employers

community media

use ethnic

It is hard to keep up with immigration laws

If I knew my employment obligations, I would comply with them

It is hard to keep up with employment laws

59%

It's really hard to make a profit in our industry, we need to do everything we can to get an advantage over the competition

NZ employment laws treat employees better than employer

46%

% Agree

97%

91%

75%

Employers of migrants believe that the most effective ways to encourage compliance is through increasing the consequences of non-compliance. More positive, benefit led messaging is viewed as less effective. Some also recognise the need to encourage support and identification of exploitation, whether that be direct support for workers, through increased inspections or via the MPEV.



% who say employers would be much more likely to comply



Inability to open new businesses if they are caught If caught, banning employers from employing migrants in the future

52% 51%

51%

Increased investigations by authorities 35%

The new MPEV Hearing from good employers about the benefits of treating migrant workers well 32% 22%

Simplifying and reforming the visa system and process is also a strong underlying theme.



"Reduce the paperwork for accredited employers and make it easier to get employer supported visas for the skilled / semi-skilled migrant workers." (Indian employer)

Over a third of employers of migrants could be at risk of slipping into exploitation. The group with the highest potential to do so have the weakest attitudes to moral and legal compliance. Another group at risk are those conflicted due to business pressures making it hard to keep up with their obligations.

KANTAR PUBLIC



"I really care about my employees, and I'd never risk doing anything dodgy."

"I believe in doing the right things, but employment laws in this country make it really hard to do business. My employees really know their rights though so I don't get away with too much."

VIRTUOUS AND COMPLIANT Strong moral responsibility and sound business reasons to comply

Enthusiastic about compliance generally Knowledgeable and open to learning

Compared to other segments, higher % of large businesses (33% have 50+ employees), employers of Indian workers (48%), and employers of workers on Essential skills (64%) and Partnership (24%) visas.

Strong moral obligation

DOING RIGHT BY WORKERS

Fairly average understanding of obligations Not strongly motivated by compliance but generally do so

Profile reflects employer averages.

28% 27% 9% 36% Weak (contextual) legal compliance

Strong (consistent) legal

compliance

CONFLICTED

- Find it hard to keep up with obligations
- Worker knowledge can keep them informed/in check

Compared to other segments, higher % of employers in hospitality sector (23%) and employers of workers on Essential skills visa (67%).

Weak moral obligation

POTENTIAL EXPLOITERS

- Subject to strong business pressures Least likely to know obligations
 - Most reluctant to support compliance
- Some struggle to converse in English

Higher % of small businesses (75% with less than 5 migrant workers), men (70%), non-NZ European employers (50%), and Auckland businesses (48%). Also, higher % of employers in construction (24%), and employers of Chinese workers (25%)

"I might not be completely up-to-date with all the laws, but basically I'm a good employer, the law works for me, and my workers are a valuable resource."

"Other people are doing it and if I don't I'm disadvantaging my business."



WORKERS IN NEW ZEALAND



WORKERS IN





The temporary migrant worker exploitation research programme interviewed both temporary migrant workers and a representative sample of all NZ workers. This infographic focuses only on NZ workers. Kantar Public surveyed 669 NZ workers in late 2021.

Top 5 occupations

20% Technical or skilled

17% Professional or

16%

Clerical or sales 14%

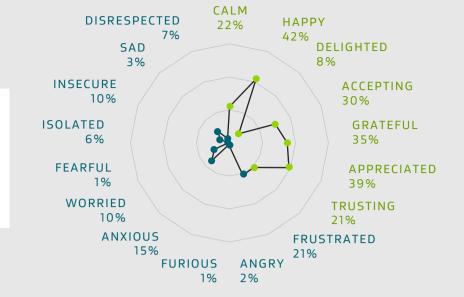
11%



Most NZ workers we spoke to feel positively about their employment, but four in ten express some kind of negative emotion.









worker/tradesperson

government official

Teacher, nurse, police or other service worker

employee

Semi-skilled worker

So perhaps unsurprisingly nearly half (45%) of NZ workers are concerned with some aspect of their employment situation.

The top 8 concerns were:



22% Long hours

8%

Job is not what

was promised

7%

Workplace

discrimination

other than race

11%

Underpayment

11% No breaks

Workplace

6%

racism

8% Paid less than colleagues for

the same job

6%

Insufficient notice when shifts have changed

1 in 10

NZ workers either don't have a signed written employment contract or are not sure.

This is more prevalent in smaller businesses.

37%

working in businesses with 1-5 employees do not have a written employment contract.



Although the majority of workers feel they understand their employment rights, a sizeable group only know a little bit or nothing at all.

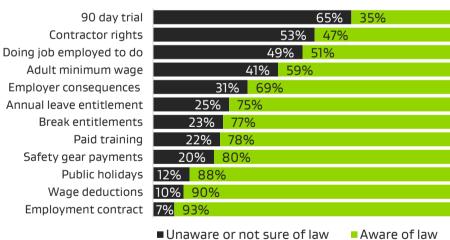


know their employment rights well or very well



35% know their employment rights a little bit or not at all

There are particular areas of employment law where workers knowledge is lacking more than others.



Most workers are interested in information and support about employment rights. Around half want regular updates.

65%



Regular updates about changes

in **employment**

law

36%

More detailed

explanations

30%

Basic

information

Regular updates

15%

about changes in immigration law

Nothing

In the past, searching online has been the most useful way for workers to find out about their employment rights.

Top 4 useful sources of employment rights



55%

Searching online / websites

33%

Personal contacts, (e.g. friend of family)



22% A union

representative

18%

My boss

But workers want targeted online and in-person support as well as proactive education.

Top 4 sources that would be extremely or very helpful for finding out about employment rights

77%

www

A government website that had information about my employment rights only (Employment NZ)



As part of my education e.g. school or university



67%

Free 0800 phone to ask questions about employment



58%

Support from someone independent who can speak to your employer on your behalf

Personal support and advice on employment rights needs to be























EMPLOYERS IN NEW ZEALAND





EMPLOYERS IN NEW ZEALAND



The temporary migrant worker exploitation research programme interviewed both employers of migrants and a representative sample of all NZ employers. This infographic focuses only on NZ employers. Kantar Public surveyed 402 NZ employers in late 2021.

Who answered the survey

67%	Business owners
11%	People managers
11%	Business managers
10%	Business directors
9%	Team leaders

Top illuustries			
23%	Hospitality		
21%	Manufacturing		
17%	Construction		
15%	Education		
12%	Retail		
10%	Health		
9%	Technology		



Contracting

53%



Most NZ employers have a good understanding of NZ employment law, but there is a need for education in some areas.



8 of the 19 aspects of employment law tested were each correctly understood by at least 80% of NZ employers.

Understanding was lowest for worker rights about...

Payment for overtime

55%

•	yers value their sta their employment	
% Agree		
Workers are a val my business	uable contribution to	98%

97% successful your business will be The reputation of our business as a good employer is important to be able to attract 96% skilled staff in the future Employers have a duty of care to and moral 95% responsibility to help and support their

If I knew my employment obligations, 92% I would comply with them

曲

90-day trial period

A worker doing a different role to what they were employed to do

62%

65%

But New Zealand employment law, along with recruitment difficulties, create key business pressures.

% Agree

X

Working without pay

to demonstrate skills

56%

It is hard to keep up with employment laws	68%
New Zealand employment laws treat employees better than employers	65%
It is difficult to find good New Zealand staff	64%

Some of the Government's employment rules and regulations make doing business difficult in my industry

64%

Online information and professional advice are key sources of information on employment law. Targeted employer resources hold considerable appeal.



63% search online for information and employment law

workers' wellbeing



speak to lawyers about employment law



30%

speak to accountants about employment law



25% go to industry specific organisations for information about employment law

Top 4 preferences for learning and support:



Dedicated website to employment law



71%

Employer helpline



71%

Printed information about employers' obligations



Receiving information about employers' obligations when registering a business

Regular updates on employment law are critical.



72%

want regular updates about changes in employment law



38%

want basic information



37%

want more detailed information



27%

want regular updates about changes in immigration law

Employers' main source of news and information is via websites and apps.

Main sources of news and information...





news websites and apps

TV channels

newspapers

Top 5 news websites and apps

39%

27%

5%

4% Industry

9%

Stuff

NZ Herald Newshub 4% RNZ

related

Employers favour a focused approach to increasing the consequences for those who don't comply with employment law.

% who say employers would be much more likely to comply (if caught)

Banning employers from employing migrants 50% in the future Heavier penalties 49%

Personal fines or taken to Employment 49% Relations Authority (ERA)

Business is fined or taken to ERA 46%

Not allowing employers to register, direct or 46% manage businesses

Publicly naming business owners and 45% businesses who break employment law



