



Employment and Working Conditions Reported by Migrants

SELECTED FINDINGS FROM THE MIGRANT SURVEY 2019





**MINISTRY OF BUSINESS,
INNOVATION & EMPLOYMENT**
HĪKINA WHAKATUTUKI

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Summary

The Migrant Survey has been undertaken annually since 2009 as part of the Immigration Survey Monitoring Programme. The survey includes all migrants other than international students and those who arrive in New Zealand through refugee categories or the Pacific Quota. In 2013, questions were added to the survey to monitor migrants' employment conditions.

Additional questions on migrants' work conditions were added to the 2018 Migrant Survey to inform the Ministry of Business, Innovation and Employment's (MBIE's) ongoing work programme to address the exploitation of migrant workers on temporary visas in New Zealand. This report presents the findings on employment and working conditions of migrants from the 2019 Migrant Survey and compares these findings with those from the 2018 survey where relevant.

Most migrants received their minimum employment entitlements

In 2019, most migrants (96 per cent) reported having a written employment agreement (3 per cent did not¹), receiving their entitlements such as holiday pay and sick leave (97 per cent; 3 per cent had not) and being paid the minimum wage or above (96 per cent; 2 per cent were paid less than the minimum wage²). Two per cent of migrants said they had been asked to pay money to their employer to get or keep their job. Overall, these findings are similar to those from 2018.

In comparison, the Survey of Working Life 2018 found 5 per cent of New Zealand employees did not have an employment agreement and 4 per cent were paid less than the minimum wage.³

Working holiday makers and migrants working in Agriculture, Forestry and Fishing were more vulnerable to breaches of their employment rights

Overall, 9 per cent of migrants were not receiving one or more of their minimum entitlements⁴ (for example, a written employment agreement and entitlements such as holiday pay and sick leave and minimum wage) or had paid to keep their job. This had increased slightly from 2018 (7 per cent) but this difference was not significant.

Eleven per cent of working holiday makers said they had experienced one or more of these situations, and this was significantly higher than for Skilled Principal migrants (4 per cent). Migrants working in the Agriculture, Forestry and Fishing industry (17 per cent) were significantly more likely than those working in Health Care and Social Assistance (5 per cent) to say they had one or more of their minimum employment entitlements breached.

While a higher proportion of migrants on temporary work visas (9 per cent) than resident visas (6 per cent) reported they had not received one or more of their minimum entitlements, this difference was not significant.

¹ In addition, 1 per cent did not know if they had an employment agreement.

² In addition, 2 per cent did not know if they were paid the minimum wage.

³ Stats NZ (2019, 21 June) *Survey of working life: 2018* (webpage).

⁴ The terms 'entitlements' and 'rights' are used interchangeably.

Most migrants felt safe at work and that their employer was treating them fairly

Most migrants (93 per cent) said they were treated fairly by their employer, slightly higher than in 2018 (90 per cent), but this was not statistically significant. While most (94 per cent) also said they had never felt threatened by their employers' behaviour, 6 per cent said they had felt threatened at some stage by their employer. Higher proportions of migrants working in the Agriculture, Forestry and Fishing (12 per cent) and Accommodation and Food Services (8 per cent) industries felt threatened by their employer.

Breaches of minimum employment entitlements may have decreased in Retail Trade

The proportion of migrants working in the Retail Trade industry increased between the 2018 and 2019 surveys (from 6 per cent to 10 per cent).

While not significant, the proportion of migrants working in Retail Trade who had experienced one or more forms of breaches of their employment entitlements decreased between 2018 and 2019 (17 per cent in 2018 to 7 per cent in 2019). This decrease was driven by an increase in this group of migrants saying they had a written employment agreement (from 89 per cent to 99 per cent). A slight reduction between the two surveys also occurred in the proportion of migrants in Retail Trade reporting that their entitlements had been held back or they had been paid less than the minimum wage.

Migrants working in Retail Trade were significantly more likely in 2019 than in 2018 to say that they had been treated fairly by their employer (81 per cent compared with 96 per cent).

It is not possible to attribute this improvement in work conditions in Retail Trade to one particular activity, but the MBIE Labour Inspectorate has been targeting investigations in this industry and there have been high profile prosecutions involving liquor stores, which are included in this industry.⁵ We will see whether this trend continues when we analyse the findings from the 2020 survey.

A small minority of migrants contacted someone or an organisation for help with their work conditions

Overall, 5 per cent of migrants said they had contacted someone for help with their work conditions, and this was much higher for migrants who experienced one or more instances of exploitation (17 per cent). Where migrants contacted someone or an organisation for help with an employment issue, this was most likely to be a solicitor or lawyer (14 per cent) or the Citizens Advice Bureau (12 per cent).

In 2018, unions were the most likely source of help for migrants about their work conditions (17 per cent). This decreased to 8 per cent in 2019.

Industry case studies highlight issues particular groups of migrants face

Two industry case studies are highlighted in the boxes below. Migrants working in the Agriculture, Forestry and Fishing industry are included as they were more vulnerable to exploitation than migrants working in other industries. Migrants in the Retail Trade industry are included as their work conditions substantially improved between 2018 and 2019.

⁵ K Wynn (2021, 8 February). [Auckland bottle store owner fined close to \\$50,000 for exploiting worker gets additional charge for legal costs](#). *NZ Herald*.

Case study: Agriculture, Forestry and Fishing industry

In 2019:

- 14 per cent of migrants worked in the Agriculture, Forestry and Fishing industry, an increase from 11 per cent in 2018
- 29 per cent of working holiday makers and 13 per cent of migrants with an Essential Skills visa worked in Agriculture, Forestry and Fishing (this compares to 25 per cent and 10 per cent respectively in 2018).

In 2019, of migrant workers in Agriculture, Forestry and Fishing:

- 7 per cent did not have an employment agreement and 6 per cent had their entitlements held back, a decrease from 12 per cent and 1 per cent, respectively, in 2018
- 5 per cent reported being paid less than the minimum wage, a slight decrease from 8 per cent in 2018
- 17 per cent reported not receiving one or more of their employment entitlements, a slight decrease from 18 per cent in 2018
- 9 per cent said they were not treated fairly by their employer, a decrease from 13 per cent in 2018
- 12 per cent felt threatened by their employer an increase from 7 per cent in 2018.
- 5 per cent of migrants asked for help with their work conditions, a decrease from 11 per cent in 2018.

Case study: Retail Trade industry

In 2019:

- 10 per cent of migrants worked in the Retail Trade industry, an increase from 6 per cent in 2018
- 23 per cent of migrants from India worked in Retail Trade, an increase from 10 per cent in 2018
- 20 per cent of Temporary Family visa migrants worked in Retail Trade an increase from 7 per cent in 2018.

In 2019, of migrants working in Retail Trade:

- almost all (99 per cent) said they had an employment agreement, an increase from 89 per cent in 2018.
- 4 per cent reported having their entitlements held back, compared to 7 per cent in 2018
- 4 per cent reported being paid less than the minimum wage, a decrease from 8 per cent in 2018.
- 3 per cent said they had paid to get or keep their job in both 2018 and 2019
- 7 per cent reported experiencing at least one breach of their employment entitlements, a decrease from 17 per cent in 2018
- 4 per cent reported not being treated fairly by their employer, a decrease from 19 per cent in 2018
- 5 per cent of migrants asked for help with their work conditions and this was very similar to 2018 (4 per cent).

Contents

Summary	3
1. Background	9
Explanation of migrant worker exploitation	9
Surveys are limited in what they can tell us about migrant worker exploitation	10
Migrants have the same employment rights as all workers	10
Labour Inspectorate has a key role in compliance with employment standards.....	11
Policy and operational changes to address temporary migrant worker exploitation.....	11
Migrant Survey includes both temporary and permanent migrants	11
2. People enter New Zealand from a variety of countries and under different policy categories	13
One in four skilled principal workers was from India.....	13
Over half of migrants on a temporary work visa were aged under 30 compared with two out of five migrants on a residence visa	14
A third of migrants from the Philippines were on an Essential Skills visa, and nearly half of migrants from Great Britain and Ireland were on a Working Holiday Scheme visa.....	15
3. Most migrants are in paid work.....	17
Most migrants were working for a wage or salary.....	17
Migrants from the Philippines were most likely to work in the Health Care and Social Assistance industry and those from India in the Retail Trade industry.....	18
A quarter of migrants worked in professional occupations and more than one in 10 worked as a labourer	19
4. Most migrants received their minimum employment entitlements but some had vulnerable work conditions	21
Most migrants had a written employment agreement, but some groups were more likely than others to have one.....	21
Three per cent of migrants said they had their entitlements held back.....	21
Most migrants said they were being paid the minimum wage.....	22
Two per cent of migrants said they had been asked to pay to get or keep their job	22
Nine per cent of migrants reported that they had not received one or more of their minimum employment entitlements	22
5. Most migrants felt safe at work and that their employer was treating them fairly.....	24
One in five migrants said they were treated unfairly when working with their manager, supervisor or work colleagues	24
Most migrants thought they were treated fairly by their employer.....	24
Six per cent of migrants felt threatened by their employer's behaviour.....	24
Only a small minority of migrants asked for help with their work conditions	25

Appendix A: Data tables – Migrant Survey 2019	26
Appendix B: Data tables – Migrant Survey 2018.....	38
Appendix C: Methodology	52
Appendix D: Employment rights	53
References	54

1. Background

The Migrant Survey has been undertaken annually since 2009 as part of the Immigration Survey Monitoring Programme. The survey includes all migrants with the exception of international students and those who come to New Zealand through refugee categories or the Pacific Quota. In 2013, questions were added to the survey to monitor migrants' employment conditions.

Additional questions on migrants' work conditions were added to the 2018 survey to inform the Ministry of Business, Innovation and Employment's (MBIE's) ongoing work programme to address the exploitation of migrant workers on temporary visas in New Zealand.

The focus of this report is on migrants who are in paid work. It presents the findings of the work-related questions from the 2019 survey⁶ and, where relevant, compares them with the findings from the 2018 survey. This report also examines differences by visa type, country of origin and industry of employment. Statistically significant differences are highlighted. Where differences between categories of migrants are large but not significant, these have also been highlighted as they may show an indicative trend. Small sample sizes mean it is sometimes difficult to determine statistically significant differences.

The results presented in this report have been weighted to represent the population of recent migrants.

See Appendix C for more details on the methodology.

Explanation of migrant worker exploitation

Migrant exploitation encompasses a spectrum of non-compliance with minimum employment legislation, ranging from ignorant non-compliance through to forced labour and people trafficking. Exploitation of temporary migrant workers takes many forms, including bullying, withholding passports or money, making employees ask permission to eat, sleep or go to the toilet, not paying employees the right amount (or at all), forcing employees to pay off a debt, or issuing threats to the employee or their family members.⁷

Exploitation is defined in the Immigration Act 2009 as:

- serious failure to pay money payable under the Holidays Act 2003
- serious default under the Minimum Wage Act 1983
- serious contravention of the Wages Protection Act 1983.

Also included in the exploitation definition are examples where the employer takes action with the intention of preventing or hindering the employee from leaving the employer or New Zealand, ascertaining or seeking entitlements under the law, or disclosing the circumstances of their work. While the Immigration Act states that exploitation involves "serious" breaches of various Acts, minor breaches may be indicative of vulnerability to poor employment practices.

⁶ Other findings from the 2019 Migrant Survey are in C Palmer and J Varcoe (2021) *Settling in New Zealand: Migrant survey trends from 2015 to 2019*. Wellington: Ministry of Business, Innovation and Employment.

⁷ Minister of Immigration and Minister for Workplace Relations and Safety (no date) *Addressing Temporary Migrant Worker Exploitation* (Cabinet paper, redacted version proactively released).

Surveys are limited in what they can tell us about migrant worker exploitation

An accurate assessment of the extent of exploitation of migrant workers through surveys is difficult for several reasons, including the:

- hidden nature of employment below minimum standards – migrants may be unaware of their minimum employment entitlements
- reluctance of those being exploited or in breach of their visa conditions to participate in research
- reluctance of people to participate in surveys due to language difficulties – research shows those most vulnerable to exploitation are those who do not speak the host language,⁸ and the Migrant Survey is available in only English and simplified Chinese.⁹

However, the Migrant Survey can provide an indication of trends and how they differ across groups, particularly when taken together with other sources of information. Yuan, Cain and Spoonley (2014) recommend a mixed-method approach encompassing both quantitative and qualitative research methodologies when undertaking research into migrant worker exploitation.¹⁰ MBIE has published two studies examining exploitative practices in the hospitality and Canterbury construction industries, combining administrative, survey and interview data.¹¹

In 2019, as part of the Temporary Migrant Worker Exploitation Review policy work, MBIE commissioned research from the Universities of Auckland and Waikato. Interviews were conducted with 64 migrants who had experienced exploitation as well as 67 stakeholders from different organisations, regions and sectors who had insights into the exploitation of temporary migrant workers in New Zealand.¹² That research found migrant exploitation is a serious issue in New Zealand and is helpful to read in conjunction with this report.

Migrants have the same employment rights as all workers

Migrant workers have the same employment rights as all workers in New Zealand, which are set out in various Acts (for example, the Employment Relations Act 2000, Minimum Wages Act 1983, Holidays Act 2003, and Health and Safety in Employment Act 1992). These rights include minimum pay, employment agreements, and minimum leave and holiday entitlements.

Minimum pay

Employees aged 16 and over must be paid at least the adult minimum wage rate, unless they are starting-out workers or trainees. The minimum wage was \$16.50 an hour from 1 April 2018 and increased to \$17.70 from 1 April 2019.¹³

⁸ For an overview of research on the link between being unable to speak the host language and worker vulnerability to exploitation, see S Yuan, T Cain and P Spoonley (2014) *Temporary Migrants as Vulnerable Workers: A literature review*. Wellington: Ministry of Business, Innovation and Employment.

⁹ It has been available in simplified Chinese since 2014.

¹⁰ S Yuan, T Cain and P Spoonley (2014) *Temporary Migrants as Vulnerable Workers: A literature review*. Wellington: Ministry of Business, Innovation and Employment.

¹¹ W Searle, K McLeod and C Stichbury (2015) *Vulnerable Temporary Migrant Workers: Hospitality industry*. Wellington: Ministry of Business, Innovation and Employment; W Searle, K McLeod and N Ellen-Eliza (2015) *Vulnerable Temporary Migrant Workers: Canterbury construction industry*. Wellington: Ministry of Business, Innovation and Employment.

¹² F Collins and C Stringer (2019) *Temporary Migrant Worker Exploitation in New Zealand*. Wellington: Ministry of Business, Innovation and Employment.

¹³ The minimum wage increased to \$20 in 2021: Employment New Zealand (no date) [Minimum leave and holiday's entitlements](#) (webpage).

Employment agreements

An employment agreement is a contract between an employer and a worker. It covers things like hours of work, rates of pay and holiday entitlements. Every worker must have a written employment agreement. It is legally binding, which means if one side does not do what they have agreed to, the other side can enforce the agreement through the Employment Relations Authority. All employment agreements must include certain mandatory clauses. Minimum employment conditions that are not mentioned in the employment agreement are still legally binding such as entitlements to four weeks' annual leave, a minimum wage and fair treatment.

Minimum leave and holiday entitlements

All employees are entitled to four weeks of paid annual holidays¹⁴ after each 12 months of continuous employment and up to 11 public holidays per year. Employees are also entitled to sick leave and bereavement leave after six months' continuous employment or after working for the employer for six months for an average of 10 hours per week and at least one hour in every week or 40 hours in every month. For more details, see Appendix D.

Labour Inspectorate has a key role in compliance with employment standards

The MBIE Labour Inspectorate's work supports MBIE's vision to 'Grow New Zealand for all' by promoting fair competition between businesses and detecting and combatting anti-competitive practices that rely on the exploitation of workers. The inspectorate ensures compliance with employment standards by identifying and investigating breaches and taking enforcement action. It also works with industry and sector leaders and other key parties to strengthen the systems that underpin employment standards compliance.

The Labour Inspectorate's Strategic Plan 2017–2022 outlines several high-risk sectors for targeted investigation: hospitality; agriculture, horticulture and fishing; cleaning and retail.

Policy and operational changes to address temporary migrant worker exploitation

In August 2020, the Government announced changes to be implemented over the coming years to address temporary migrant worker exploitation.¹⁵ These changes included:

- higher standards for franchises, labour hire companies and similar businesses where migrant exploitation often occurs
- a free-phone line and dedicated reporting and triaging function to make it easier to report migrant worker exploitation, which will also increase our understanding of the nature and extent of migrant worker exploitation in New Zealand
- a new visa for exploited migrant workers so they can safely leave exploitative situations without jeopardising their immigration status.

The dedicated free-phone line, new visa and increase in funding for compliance and enforcement came into effect on 1 July 2021.¹⁶

Migrant Survey includes both temporary and permanent migrants

This report presents information on the employment and work conditions of both temporary and permanent migrants but excludes international students, refugees and Pacific Quota migrants. Brief definitions of the migrant categories are provided below along with an explanation of the Work Policy.

¹⁴ This is also known as annual leave.

¹⁵ MBIE (2021, 1 July) [Addressing temporary migrant worker exploitation](#) (webpage).

¹⁶ MBIE (2021, 1 July) [Government announces support to better protect migrants from exploitation](#) (webpage).

Permanent migrants

People who wish to migrate permanently to New Zealand must apply through the categories of the four residence streams of the New Zealand Residence Programme: Skilled/Business Stream, Uncapped Family Stream, Capped Family Sponsored Stream¹⁷ and International/Humanitarian Stream.

Residence provides a person with the right to live indefinitely in New Zealand with access to all the usual work, business, education, property, and health privileges and responsibilities available to New Zealanders.¹⁸

Temporary migrants

Temporary migrants are granted entry to New Zealand under one of several policies: Visitor Policy, Work Policy (including Family Policy), Student Policy and Limited Visa Policy.

Work Policy

The Work Policy aims to facilitate the access of New Zealand employers and industry to global skills and knowledge, while complementing the Government's education, training, employment and economic development policies. Work visas allow employers to recruit temporary workers from overseas to meet particular or seasonal labour shortages while protecting employment opportunities and conditions for New Zealand workers. Various work visa categories allow people to enter New Zealand for work-related purposes; for example:

- the Essential Skills Policy facilitates the entry of people required temporarily to fill shortages where suitable New Zealand citizens or residents are not available for the work offered
- Working Holiday Schemes allow young people to work and study while in New Zealand if the primary intention for their visit is to holiday
- the Recognised Seasonal Employer Scheme allows horticulture and viticulture businesses to supplement their New Zealand workforce with non-New Zealand citizens or residents
- the Family Policy allows partners of New Zealand citizens, residents, and work or student visa holders to work in New Zealand.

¹⁷ Only 45 people coming through the Parent Residence Category were included in the 2019 Migrant Survey and none were included in the 2018 survey. This was due to a temporary suspension of this visa category. Therefore, this group has been excluded from the analysis.

¹⁸ Some of these services are available to only permanent resident visa holders or only after they have been residents for a set period.

2. People enter New Zealand from a variety of countries and under different policy categories

This section describes the migrants who participated in the 2019 Migrant Survey and, where relevant, compares these findings with those from the 2018 Migrant Survey.

One in four skilled principal workers was from India

People entering New Zealand under different policy categories tend to come from different countries of origin (see Table 1). For example, only 3 per cent of Skilled Principal workers were from Latin America. By comparison, 26 per cent of Skilled Principal workers were from India. Table 1 also shows that:

- 22 per cent of migrants on a Temporary Family visa were from India
- 22 per cent of migrants on a Working Holiday Scheme visa were from Great Britain and 28 per cent from North America

Overall, there were no significant differences between 2018 and 2019 in the country composition of migrants, with the exception of India, which increased significantly from 13 per cent of the sample to 18 per cent. In addition, migrants from India comprised a larger share of those coming to New Zealand on a Temporary Other visa in 2019 (37 per cent) compared with 2018 (22 per cent), although this was not significant (see Table B1 in Appendix B).

Table 1: Policy category by nationality, 2019

Policy category [†]	China	Great Britain & Ireland	India	Philippines	Latin America	North America	Other	Base N [#]
Family Partner	10	14	18	8	5	7	39	454
Skilled Principal [*]	19	12	26	10	3	5	25	375
Skilled Secondary [‡]	20	10	18	9	3	2	39	293
<i>Total residence</i>	<i>16</i>	<i>12</i>	<i>21</i>	<i>9</i>	<i>4</i>	<i>5</i>	<i>33</i>	<i>1,122</i>
Essential Skills	4	12	19	23	9	3	30	341
Temporary Family	10	8	22	8	6	7	40	285
Working Holiday Scheme	2	22	0	0	3	28	45	296
Temporary Other	17	4	37	13	2	1	27	175
<i>Total temporary work</i>	<i>8</i>	<i>13</i>	<i>17</i>	<i>9</i>	<i>4</i>	<i>12</i>	<i>37</i>	<i>1,097</i>
Overall total	9	13	18	9	4	11	37	2,219

Notes

- † In 2018, there were no Family Parent respondents and, in 2019, there were only 45. This group of permanent residents has been excluded from the analysis. The Parent Resident Visa was temporarily suspended and opened with new settings in early 2020.
- # Percentages are based on weighted data to represent the proportion of recent migrants. The Base N column refers to the number of respondents (that is, they are unweighted numbers).
- § Sometimes percentages don't equal 100 due to rounding
- * A principal applicant for a Skilled Migrant visa.
- ‡ A secondary applicant for a Skilled Migrant visa.

Over half of migrants on a temporary work visa were aged under 30 compared with two out of five migrants on a residence visa

Not surprisingly, the age composition of migrants differs with residence and work visas, with those on work visas tending to be younger. Half of migrants aged under 30 (56 per cent) were on a temporary work visa compared with 41 per cent of those on a residence visa (see Table 2).

- Overall, the age composition of migrants from different countries was similar in 2018 and 2019 (see Table B2 In Appendix B).

Table 2: Country of origin and policy category by age group, 2019

	Age group (%*)							
	18–19 years	20–24 years	25–29 years	30–39 years	40–49 years	50–59 years	60–69 years	70+ years
Country of origin								
China	<1	13	37	37	12	1	0	<1
Great Britain & Ireland	4	20	44	23	6	2	1	<1
India	0	19	44	35	1	<1	0	0
Philippines	1	3	19	52	24	1	0	0
Latin America	1	5	32	54	4	4	<1	0
North America	0	29	34	32	2	3	<1	0
Other	4	13	33	36	11	2	<1	0
Policy category								
Family Partner	<1	13	30	41	9	4	2	<1
Skilled Principal	0	4	43	44	7	2	0	0
Skilled Secondary	1	3	25	49	18	2	0	0
<i>Total residence visas</i>	<1	7	34	45	11	3	1	<1
Essential Skills	<1	6	37	41	12	4	<1	0
Temporary Family	1	9	31	45	13	3	<1	0
Working Holiday Scheme	7	30	44	19	0	0	0	0
Temporary Other	0	18	30	40	11	1	0	0
<i>Total temporary work visas</i>	3	17	36	34	8	2	<1	0
Overall total	2	15	36	36	8	2	<1	<1

Note

* Percentages are based on weighted data to represent the proportion of recent migrants. Sometimes percentages don't equal 100 due to rounding

A third of migrants from the Philippines were on an Essential Skills visa, and nearly half of migrants from Great Britain and Ireland were on a Working Holiday Scheme visa

The composition of migrants coming through different policy categories differed significantly between 2018 and 2019. In particular, in 2019 the proportion of migrants coming through Family Partner, Skilled Principal and Skilled Secondary categories decreased and the proportion coming through the Temporary Family category increased.

Table 3 illustrates the breakdown of migrants from each country by policy category for 2018 and 2019. It highlights the relative importance of the Essential Skills visa for migration from the Philippines and Latin America and the Working Holiday Scheme for migration from Great Britain and Ireland. The Temporary Other category consists of several temporary categories, with post-study work visas being the largest of these. Significant differences in the country composition by policy category. In particular:

- There was a large decrease in the percentage of migrants from India and the Philippines on a Skilled Principal visa in 2019 (10 per cent and 7 per cent, respectively) from 2018 (21 per cent and 17 per cent, respectively)
- There was a large increase in the percentage of migrants from Latin America on a Temporary Family visa in 2019 (32 per cent) from 2018 (19 per cent).

Table 3: Nationality of migrants by policy category, 2019 and 2018

Country of origin	Year	Family Partner	Skilled Principal	Skilled Sec	Essential Skills %*	Temp Family	WHS	Temp Other
China	2019	6	14	10	7	27	6	30
	2018	13	19	14	4	16	7	26
Great Britain & Ireland	2019	7	6	4	14	15	49	5
	2018	8	11	6	13	11	47	5
India	2019	6	10	5	15	30	0	34
	2018	11	21	8	15	26	0	20
Philippines	2019	5	7	5	37	23	0	23
	2018	7	17	11	32	16	0	18
Latin America	2019	6	5	3	30	32	18	7
	2018	8	12	8	29	19	18	6
North America	2019	4	3	1	3	15	73	1
	2018	-	-	-	-	-	-	-
Other	2019	6	4	5	12	27	35	12
	2018	7	7	6	10	15	45	9
Total	2019	6	7	5	14	24	28	16
	2018	8	12	7	13	16	31	12

Notes: Sec = Secondary; Temp = Temporary; WHS = Working Holiday Scheme.

* Percentages are based on weighted data.

3. Most migrants are in paid work

Migrants were asked about their employment status and if they were in employment (paid or unpaid), what industry they were working in and what their occupation was.

Most migrants were working for a wage or salary

In 2019, almost nine out of 10 migrants (88 per cent) reported being in paid work (see Table 4), which is very similar to the proportion in 2018 (87 per cent).¹⁹

However, there were significant differences among migrants in the proportion saying they were in paid employment. Table 4 shows that migrants:

- from the Philippines (95 per cent), Great Britain and Ireland (93 per cent), and India (92 per cent) were significantly more likely to be employed than those from China (77 per cent)
- on a Skilled Principal visa (97 per cent) or Essential Skills visa (97 per cent) were significantly more likely to be in paid work than those on a Family Partner (75 per cent), Temporary Family (83 per cent) or Skilled Secondary (78 per cent) visa.

Table 4: Migrants reporting being in paid work, 2019

Working for a wage or salary	No %	Yes %	Base N [#]
Country of origin			
China	23	77	265
Great Britain & Ireland	7	93	267
India	8	92	325
Philippines	5	95	267
Latin America	12	88	151
North America	13	87	130
Other	13	87	814
Policy category			
Family Partner	25	75	454
Skilled Principal	3	97	375
Skilled Secondary	22	78	293
<i>Total residence</i>	<i>16</i>	<i>84</i>	<i>1,122</i>
Essential Skills	3	97	341
Temporary Family	17	83	285
Working Holiday Scheme	10	90	296
Temporary Other	9	91	175
<i>Total temporary work</i>	<i>11</i>	<i>89</i>	<i>1,097</i>

¹⁹ Paid work includes working for a wage or salary, conducting one's own business, and/or being self-employed or a contractor. Those who were not categorised as being in paid work could have been in unpaid work, studying, unemployed, retired or not working for other reasons.

Working for a wage or salary	No %	Yes %	Base N [#]
Overall total	12	88	2,219
2018	13	87	2,137

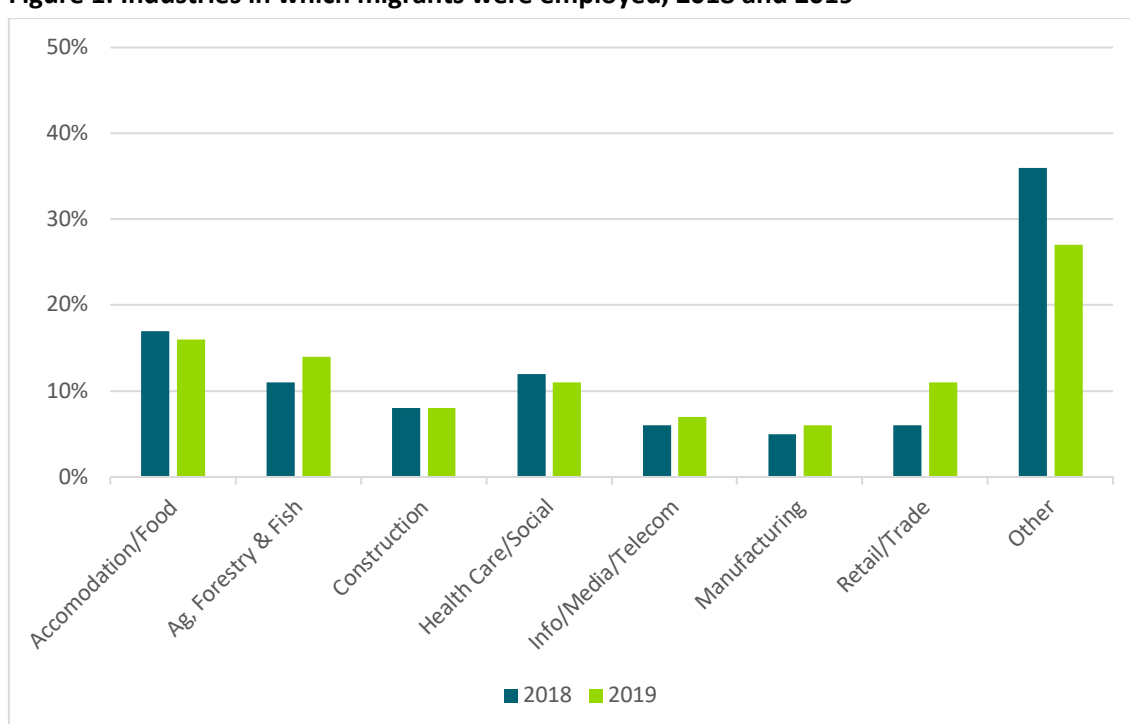
Note

Percentages are based on weighted data to represent the proportion of recent migrants. The Base N column refers to the number of respondents (that is, they are unweighted numbers).

Migrants from the Philippines were most likely to work in the Health Care and Social Assistance industry and those from India in the Retail Trade industry

Figure 1 shows the distribution of employed migrants across seven key industries and a large 'Other' category in 2018 and 2019.^{20, 21}

Figure 1: Industries in which migrants were employed, 2018 and 2019



Notes: Ag, Forestry & Fish = Agriculture, Forestry & Fishing; Health Care/Social = Health Care and Social Assistance; Info/Media/Telecom = Information, Media and Telecommunications. 'Other' comprises selected industries each chosen by a small proportion of respondents (for example Education and Training, and Arts and Recreation services) as well as the 'Other services' category.

Source: 2018 and 2019 Migrant Surveys.

Migrants granted visas under different categories and from different countries tended to be distributed somewhat differently across these key industries (see Table A1 in Appendix A). Filipino migrants were significantly more likely than migrants from all other countries to be employed in the Health Care and Social Assistance industry (35 per cent compared with 11 per cent overall). Over a quarter of migrants from Latin America (27 per cent) were

²⁰ Analysis on industry and occupation is of those who reported they were working for a wage or salary.

²¹ Migrants could indicate multiple industries, and in such cases they were assigned to a single industry based on occupation. Most migrants indicated only one industry, so the choice of industry priority order does not substantively affect the results.

employed in the Accommodation and Food Services industry, and this was a significantly higher than the proportion of migrants from the Philippines (8 per cent) or India (11 per cent).

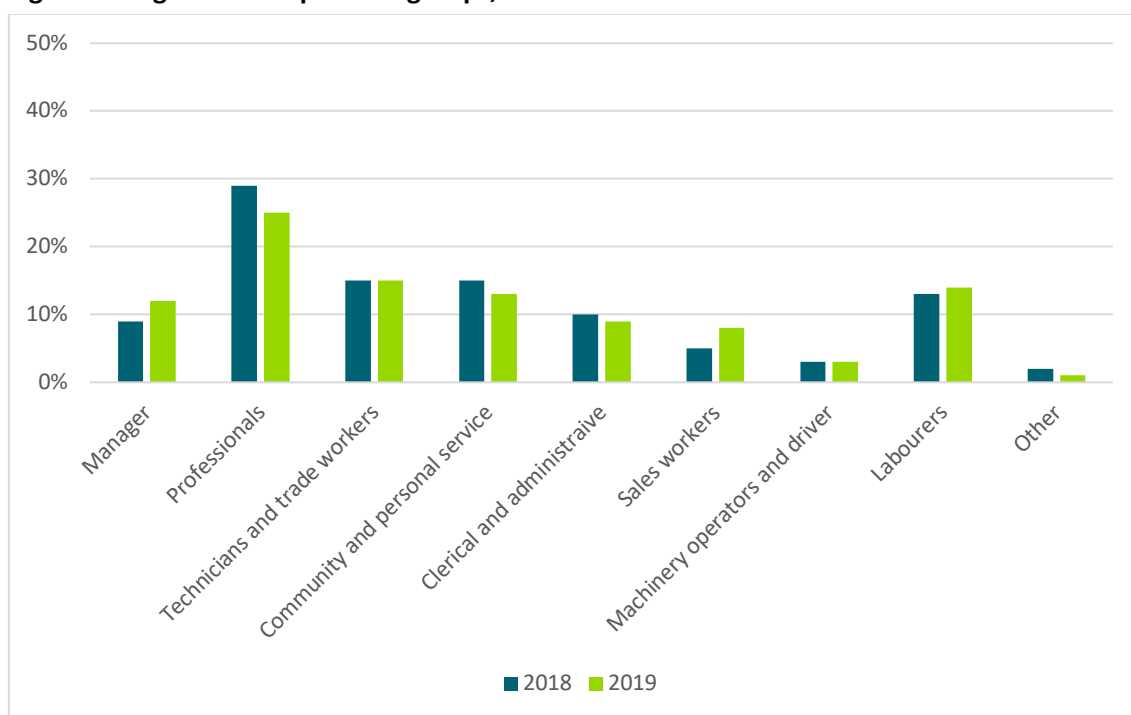
Large proportions of Working Holiday Scheme visa holders worked in the Agriculture, Forestry and Fishing (29 per cent) and Accommodation and Food Services industries (25 per cent).

The percentage of migrants working in different industries remained similar between 2018 and 2019 with the exception of Retail Trade, which had a significant increase from 6 per cent (see Table B3 in Appendix B) to 10 per cent. There was also a significant increase in the proportion of migrants from India working in Retail Trade (from 10 per cent to 23 per cent).

A quarter of migrants worked in professional occupations and more than one in 10 worked as a labourer

Figure 2 shows that the most common occupation in both 2018 and 2019 was professionals, though there was a slight decrease between survey years (from 29 per cent in 2018 to 25 per cent in 2019). In 2018, the second most common occupation was tied between technicians and trade workers and community and personal service workers (15 per cent). In 2019, community and personal service workers decreased to 13 per cent while technicians and trade workers remained at 15 per cent.

Figure 2: Migrants’ occupational groups, 2018 and 2019



Note: Base N 2018=1,712. Base N 2019=1,638.

Source: 2018 and 2019 Migrant Surveys.

Table A2 in Appendix A shows the distribution of occupational groups by country of origin and policy category. There are significant differences.

- Migrants from China were significantly more likely than migrants from all other countries to be working as professionals (48 per cent compared with 25 per cent overall).
- Working holiday visa holders were more likely than migrants on all other visa types to be working as labourers (28 per cent compared with 14 per cent overall).

- Migrants on a residence visa²² were more likely than those on a temporary visa²³ to be working as professionals (43 per cent compared with 21 per cent). On the other hand, migrants on a temporary work visa were more likely than those on a residence visa to be working as labourers (16 per cent compared with 5 per cent) or technicians and trade workers (16 per cent compared with 9 per cent).

The proportion of migrants working in different occupations was similar between 2018 and 2019. However, there were a few significant differences in occupations by visa type. In particular (see Table A2 in Appendix A and Table B4 in Appendix B), from 2018 to 2019, the proportion of migrants on a:

- Skilled Principal visa working as technicians and trade workers decreased substantially (from 21 per cent to 8 per cent)
- on a Temporary Other visa working as managers increased from 8 per cent to 20 per cent.

²² The New Zealand Residence Programme comprises the Skilled/Business Stream, Uncapped Family Stream, Capped Family Sponsored Stream, and International/Humanitarian Stream. Migrants from only the first three streams are included in the 2019 Migrant Survey.

²³ Temporary migrants are granted entry to New Zealand under one of four policies: Visitor Policy, Work Policy (including Family Policy), Student Policy and Limited Visa Policy.

4. Most migrants received their minimum employment entitlements but some had vulnerable work conditions

Survey participants were asked about their minimum employment entitlements, including whether they had a written employment agreement, were being paid less than the minimum wage, and had ever been expected to pay for their job and whether their employer had ever held back or threatened to hold back entitlements such as pay or sick leave. The analysis in this chapter is of only those who were working for a wage or salary.

Most migrants had a written employment agreement, but some groups were more likely than others to have one

Every worker must have a written employment agreement, which covers things such as the rate of pay, hours of work and holiday entitlements. According to the 2018 Survey of Working Life, most New Zealand employees reported having a written employment agreement, with only 5 per cent saying they did not.²⁴

In 2019, 96 per cent of migrants reported having a written employment agreement, 3 per cent stated that they did not have one and 1 per cent did not know. This is very similar to findings from the 2018 survey where most (95 per cent) migrants reported having a written employment agreement with 4 per cent stating they did not have one and 1 per cent not knowing whether they had one.

However, in 2019 there were significant differences between groups of migrants saying they had a written employment agreement (see Table A3 in Appendix A). In particular:

- Skilled Principal migrants (99 per cent) and migrants on an Essential Skills visa (99 per cent) were more likely than migrants on a Working Holiday Scheme visa (91 per cent) to have a written employment agreement
- migrants working in the Health Care and Social Assistance industry (99 per cent) were more likely than those working in the Agriculture, Forestry and Fishing industry (90 per cent) to have a written employment agreement.

While not significant, there was a large increase in the proportion of migrants working in the Retail Trade industry who said that they had a written employment agreement between the two surveys (increasing from 89 per cent in 2018 to 99 per cent in 2019). (See Tables A3 and B5).

Three per cent of migrants said they had their entitlements held back

All employees are entitled to four weeks of paid annual holidays after each 12 months of continuous employment. Employees working casually or on fixed-term agreements of less than 12 months may agree to receive 8 per cent of their gross earnings as annual holiday pay with their salary or wages.

In the 2019 Migrant Survey, participants were asked if their employer had ever held back, or threatened to hold back, entitlements such as holiday pay and sick leave. Nearly all (97 per cent) said that their employer had not done this with 3 per cent saying they had. Similarly in the 2018 survey 2 per cent said that their employer had ever held back or threatened to hold back their entitlements (see Table B6 in Appendix B).

The proportions of migrants saying they have had their entitlements held back in 2019 was slightly higher for migrants working in the Agriculture, Forestry and Fishing (6 per cent) and

²⁴ Stats NZ (2019, 21 June) [Survey of working life: 2018](#) (webpage).

Construction (6 per cent) than for other migrants, but differences were only significant for the Information, Media and Telecommunications industry (less than 1 per cent). The findings for migrants working in these industries was also higher in 2019 than in 2018 (where 1 per cent said that they had their entitlements held back) but these differences were not significant. There were few other differences by visa type or country of origin. (See Table A4 in Appendix A and Table B6 in Appendix B.)

Most migrants said they were being paid the minimum wage

Migrants were asked whether they were being paid less than the minimum wage in their current main job, before tax and any other deductions are taken out. Respondents were informed what the minimum wage was before and after tax.

Employees aged 16 years and over must be paid at least the adult minimum wage rate, unless they are starting-out workers or trainees. In the 2018 Survey of Working Life, 4 per cent of employees said they were being paid less than the minimum wage.²⁵

In 2019, most migrants said they were not being paid less than the minimum wage (96 per cent) with only 2 per cent saying they were paid less than the minimum wage and 2 per cent saying they did not know. However, migrants from India (5 per cent) were significantly more likely to not be paid minimum wage compared with migrants from North America (less than 1 per cent) (see Table A5 in Appendix A). Higher proportions of migrants in the Agriculture, Forestry and Fishing industry (5 per cent) said they were paid less than the minimum wage, but this was not significantly different from migrants working in other types of industries. Migrants from India and North America reported the highest percentage not knowing if they were being paid less than the minimum wage (5 per cent and 4 per cent respectively).

Overall, there was no significant difference between 2018 (2 per cent) and 2019 (2 per cent) in the proportion of migrants who have been paid less than minimum wage. (See Table A5 in Appendix A and Table B7 in Appendix B.)

Two per cent of migrants said they had been asked to pay to get or keep their job

Migrants were asked if their employer had ever asked them, or expected them, to pay money to them to get or keep their job. Two per cent said their employer had done so. Migrants working in the Construction industry reported the highest percentage of migrants having to pay to keep their job at 5 per cent (see Table A6 in Appendix A).

Overall, there was no significant difference between 2018 (1 per cent) and 2019 (2 per cent) in the proportion of migrants reporting paying to keep their job. However, there was a significant increase between the two surveys in the proportion of migrants from India saying they had paid to keep their job (less than 1 per cent in 2018 to 4 per cent in 2019). (See Table A6 in Appendix A and Table B8 in Appendix B.)

Nine per cent of migrants reported that they had not received one or more of their minimum employment entitlements

Overall, 9 per cent of the 2019 Migrant Survey respondents reported that they had not received one or more of their minimum entitlements (employment agreement, annual leave, minimum wage) or had been asked to pay money to their employer to get or keep their job. This is slightly higher than the proportion in 2018 (7 per cent) but these differences were not significant.

²⁵ Stats NZ (2019, 21 June) [Survey of working life: 2018](#) (webpage).

Significant differences between different groups of migrants (see Table A7 in Appendix A) were that migrants:

- on a Working Holiday Scheme visa (11 per cent) were significantly more likely than Skilled Principal migrants (4 per cent) to have one or more of their minimum employment entitlements breached
- working in the Agriculture, Forestry and Fishing (17 per cent) industry were significantly more likely than those working in the Health Care and Social Assistance industry (5 per cent) to say they had one or more of their minimum employment rights breached.

While a higher proportion of migrants on temporary work visas (9 per cent) than residence visas (6 per cent) reported they had not received one or more of their minimum entitlements, this was not significant.

There was a substantial decrease from 2018 to 2019 in the proportion of migrants working in the Retail Trade industry saying they had not received one or more of their minimum entitlements (from 17 per cent to 7 per cent), but this was not significant. On the other hand, a higher proportion of migrants working in the Accommodation and Food (13 per cent) and Construction (11 per cent) industries had experienced at least one or more of their minimum employment rights being breached in 2019 compared with 2018 (6 per cent and 3 per cent, respectively), but again this was not significant. (See Table A7 in Appendix A and Table B9 in Appendix B.)

5. Most migrants felt safe at work and that their employer was treating them fairly

The survey asked migrants if they thought they were being treated fairly and whether they had been threatened at work. This section reports on those findings.

One in five migrants said they were treated unfairly when working with their manager, supervisor or work colleagues

Migrants were asked 'since coming to New Zealand how often have you felt that someone was treating you unfairly because you came from overseas'. Almost three-quarters said they had either never been treated unfairly (42 per cent) or they had been treated unfairly only once or twice (34 per cent). A quarter said they had been treated unfairly three or more times. The analysis in this section includes only those who were in paid work.

Migrants who said they had been treated unfairly at least once were asked to specify what they had been doing when this happened. Twenty per cent of migrants who were in paid work said they had been treated unfairly when working with their manager, supervisor or work colleagues. Significant differences existed across different groups of migrants with migrants:

- from the Philippines (25 per cent) significantly more likely to say they had been treated unfairly in paid work than migrants from Great Britain and Ireland (13 per cent)
- in the Agriculture, Forestry and Fishing industry (30 per cent) significantly more likely to say they had been treated unfairly compared with migrants working in the Information, Media and Telecommunications industry (12 per cent).

Overall, there was no significant difference in the proportion of migrants reporting to have been treated unfairly when working with their manager, supervisor or work colleagues in 2018 (22 per cent) and 2019 (20 per cent).

Most migrants thought they were treated fairly by their employer

Migrants were asked if they were treated fairly by their employer. Most (93 per cent) migrants reported being treated fairly by their employer, with 7 per cent saying they were not treated fairly. Only minor differences existed in being treated fairly by employer by visa type, industry of employment or country of origin.

There was a small decrease from 2018 (11 per cent) to 2019 (7 per cent) in the proportion saying they had not been treated fairly by their employer, but this was not significant. However, a significant decrease occurred in the proportion of migrants working in the Retail Trade industry saying they had been treated unfairly by their employer (from 19 per cent to 4 per cent). (See Table A8 in Appendix A and Table B10 in Appendix B.)

Migrants who have experienced one or more exploitative practices were significantly more likely to say they were not being treated fairly by their employer than those who had not experienced exploitative practices (25 per cent compared with 5 per cent).

Six per cent of migrants felt threatened by their employer's behaviour

Migrants were asked if they had ever felt threatened by their employer's behaviour. Most (94 per cent) said they had never felt threatened while 6 per cent said they had (see Table A9 in Appendix A).

Migrants working in Agriculture, Forestry and Fishing (12 per cent) and Accommodation and Food Services (8 per cent) were significantly more likely to report that they felt threatened by

their employer than migrants working in the Information, Media and Telecommunications industry (2 per cent). There were no other significant differences by industry of employment.

While there was a slight increase in the proportion of migrants reporting feeling threatened by their employer’s behaviour from 2018 (4 per cent) to 2019 (6 per cent) was not significant.

Only a small minority of migrants asked for help with their work conditions

Migrants were asked if they had contacted anyone (other than a friend or family member) for help with their work conditions. If they said yes, they were asked to specify from a list who they had contacted. The analysis in this section includes only those who indicated they were working for a wage or salary.

Overall, 5 per cent said they had contacted someone for help with their work conditions. There were few differences in asking for help with work conditions by visa type, industry of employment or country of origin (see Table A10 in Appendix A).

There was no significant difference in the composition of migrants reporting they had asked for help with work conditions in 2018 (6 per cent) and 2019 (5 per cent) (see Table B11 in Appendix B).

Not surprisingly, those who said they had experienced exploitation were significantly more likely than those who had not to have contacted someone for help with their work conditions (4 per cent compared with 17 per cent).

When migrants had asked for help with an employment issue in 2018, this was most likely to be from a union or the Citizens Advice Bureau. This changed in 2019 with a solicitor/lawyer being the most likely to be contacted, followed closely by the Citizens Advice Bureau (see Table 5).

Table 5: Who people contacted when they sought help

Contact	2018 %	2019 %
Union	17	8
Citizens Advice Bureau	14	12
Migrant Workers Association	8	3
Solicitor/lawyer	7	14
Church	5	5
Ethnic association	3	0
Other	24	14

Note: Percentages are based on weighted data to represent the proportion of recent migrants.

Appendix A: Data tables – Migrant Survey 2019

Table A1: Industry of employment, 2019 *

Category	Accommodation & Food Services	Agriculture, Forestry & Fishing	Construction	Health Care & Social Assistance	Information, Media & Telecommunications	Manufacturing	Retail Trade	Other	Base N#
Country of origin									
China	17	8	10	1	13	8	12	31	183
Great Britain & Ireland	21	6	10	11	6	1	10	36	232
India	11	9	4	11	8	7	23	28	281
Latin America	27	17	5	5	7	8	6	25	127
Philippines	8	12	14	35	4	7	6	13	242
North America	20	12	6	16	6	2	6	31	98
Other	18	22	7	7	6	9	7	24	635
Policy category									
Family Partner	11	4	6	14	7	6	11	41	306
Skilled Principal	6	5	9	18	15	6	6	36	342
Skilled Secondary	9	3	8	14	6	6	10	44	204
Essential Skills	22	13	15	15	5	4	7	18	325
Temporary Family	12	6	4	13	4	13	20	29	211
Working Holiday Scheme	25	29	5	8	4	5	6	18	256
Temporary Other	10	8	10	8	14	4	11	35	154
Total	16	14	8	11	7	6	10	27	1,798

Note

Percentages are based on weighted data to represent the proportion of recent migrants. The Base N column refers to the number of respondents (that is, they are unweighted numbers).

* 'Don't know' and 'rather not say' responses have also been excluded from percentages in tables unless otherwise stated.

Table A2: Occupation, 2019

Category	Managers	Professionals	Technicians & trade workers	Community & personal service workers	Clerical & administrative workers	Machinery operators and drivers	Sales workers	Labourers	Base N [#]
Country of origin									
China	8	48	15	6	7	2	8	6	161
Great Britain & Ireland	12	22	14	20	17	2	7	5	226
India	19	22	15	7	9	5	13	8	245
Latin America	13	20	19	12	8	4	5	18	119
Philippines	7	30	19	17	4	2	3	16	220
North America	8	23	10	23	10	0	10	16	93
Other	12	22	14	11	7	4	6	22	574
Policy category									
Family Partner	5	28	8	19	16	4	10	8	291
Skilled Principal	12	61	8	3	6	2	4	3	315
Skilled Secondary	14	29	10	16	16	<1	5	6	183
<i>Total residence</i>	<i>10</i>	<i>43</i>	<i>9</i>	<i>11</i>	<i>12</i>	<i>2</i>	<i>6</i>	<i>5</i>	<i>789</i>
Essential Skills	18	19	25	13	5	4	2	13	309
Temporary Family	9	19	11	12	12	7	15	14	185
Working Holiday Scheme	6	16	10	23	7	2	9	28	213
Temporary Other	20	33	21	3	10	3	5	4	142
<i>Total temporary work</i>	<i>12</i>	<i>21</i>	<i>16</i>	<i>14</i>	<i>8</i>	<i>4</i>	<i>8</i>	<i>16</i>	<i>849</i>
Total	12	25	15	13	9	3	8	14	1,638

Note

Percentages are based on weighted data to represent the proportion of recent migrants. The Base N column refers to the number of respondents (that is, they are unweighted numbers).

Table A3: Migrants reporting having a written employment agreement, 2019

Category	Have a written employment agreement			Base N [#]
	No %	Yes %	Don't know [†] %	
Country of origin				
China	5	95	<1	182
Great Britain & Ireland	2	98	0	231
India	1	99	0	286
Latin America	2	95	3	127
Philippines	2	98	0	244
North America	6	93	1	99
Other	4	94	2	643
Policy category				
Family Partner	3	96	1	308
Skilled Principal*	1	99	1	342
Skilled Secondary	2	98	0	205
<i>Total residence</i>	<i>2</i>	<i>98</i>	<i>0</i>	<i>855</i>
Essential Skills	1	99	<1	324
Temporary Family	3	97	1	218
Working Holiday Scheme	6	91	2	259
Temporary Other	2	98	0	156
<i>Total temporary work</i>	<i>3</i>	<i>95</i>	<i>1</i>	<i>957</i>
Industry*				
Accommodation and Food Services	6	93	<1	245
Agriculture, Forestry and Fishing	7	90	2	188
Construction	4	95	<1	149
Health Care and Social Assistance	1	99	0	242
Information, Media and Telecommunications	3	97	0	134
Manufacturing	1	99	<1	112
Retail Trade	1	99	<1	159
Other	1	97	2	549
Overall total	3	96	1	1,778
Survey year				
2013	6	94	<1	1,560
2014	4	96	1	1,457

Category	Have a written employment agreement			Base N#
	No %	Yes %	Don't know [†] %	
2015	4	95	1	1,058
2016	5	93	1	1,806
2017	2	96	1	1,896
2018	4	95	1	1,798

Notes

- # Percentages are based on weighted data to represent the proportion of recent migrants. The Base N column refers to the number of respondents (that is, they are unweighted numbers).
- * The overall total is different from the overall total for industry. This is because not all participants specified the industry they worked in.
- † 'Don't know' responses are included in this table.

Table A4: Migrants reporting entitlements held back, 2019

Category	Entitlements held back		Base N [#]
	No %	Yes %	
Country of origin			
China	99	1	186
Great Britain & Ireland	98	2	231
India	96	4	277
Latin America	97	3	126
Philippines	96	4	237
North America	99	1	98
Other	95	5	639
Policy category			
Family Partner	96	4	304
Skilled Principal	98	2	343
Skilled Secondary	99	1	205
<i>Total residence</i>	<i>98</i>	<i>2</i>	<i>852</i>
Essential Skills	96	4	316
Temporary Family	96	4	214
Working Holiday Scheme	97	3	257
Temporary Other	97	3	155
<i>Total work</i>	<i>96</i>	<i>4</i>	<i>942</i>
Industry*			
Accommodation and Food Services	95	5	240
Agriculture, Forestry and Fishing	94	6	186
Construction	94	6	147
Health Care and Social Assistance	98	2	240
Information, Media and Telecommunications	100	<1	132
Manufacturing	96	4	109
Retail Trade	96	4	155
Other	98	2	551
Overall total	97	3	1,760

Notes

Percentages are based on weighted data to represent the proportion of recent migrants. The Base N column refers to the number of respondents (that is, they are unweighted numbers).

* The overall total is different from the overall total for industry. This is because not all participants specified the industry they worked in.

Table A5: Migrants reporting being paid less than the minimum wage, 2019

Category	Paid less than the minimum wage			Base N [#]
	No %	Yes %	Don't know %	
Country of origin				
China	98	2	0	185
Great Britain & Ireland	98	1	1	235
India	91	5	5	279
Latin America	97	0	3	125
Philippines	95	3	1	242
North America	96	<1	4	99
Other	96	3	1	644
Policy category				
Family Partner	96	3	1	310
Skilled Principal	98	1	1	341
Skilled Secondary	95	4	1	206
<i>Total residence</i>	<i>97</i>	<i>2</i>	<i>1</i>	<i>857</i>
Essential Skills	94	3	3	320
Temporary Family	94	3	3	214
Working Holiday Scheme	97	2	1	262
Temporary Other	95	2	3	156
<i>Total temporary work</i>	<i>95</i>	<i>2</i>	<i>2</i>	<i>952</i>
Industry*				
Accommodation and Food Services	95	4	1	244
Agriculture, Forestry and Fishing	91	5	4	188
Construction	99	<1	<1	150
Health Care and Social Assistance	97	1	2	239
Information, Media and Telecommunications	99	1	0	133
Manufacturing	98	2	0	112
Retail Trade	92	4	4	161
Other	97	1	2	550
Overall total	96	2	2	1,809

Notes

Percentages are based on weighted data to represent the proportion of recent migrants. The Base N column refers to the number of respondents (that is, they are unweighted numbers).

* The overall total is different from the overall total for industry. This is because not all participants specified the industry they worked in.

Table A6: Migrants reporting paying to keep job, 2019

Category	Paying to keep job		Base N [#]
	No %	Yes %	
Country of origin			
China	98	2	188
Great Britain & Ireland	98	2	234
India	96	4	281
Latin America	99	1	126
Philippines	97	3	242
North America	100	0	98
Other	98	2	640
Policy category			
Family Partner	99	1	304
Skilled Principal	99	1	343
Skilled Secondary	99	1	209
<i>Total residence</i>	<i>99</i>	<i>1</i>	<i>856</i>
Essential Skills			
Essential Skills	98	2	321
Temporary Family	97	3	217
Working holiday Scheme	99	1	258
Temporary Other	97	3	157
<i>Total temporary work</i>	<i>98</i>	<i>2</i>	<i>953</i>
Industry*			
Accommodation and Food Services	97	3	243
Agriculture, Forestry and Fishing	98	2	185
Construction	95	5	150
Health Care and Social Assistance	99	1	242
Information, Media and Telecommunications	98	2	134
Manufacturing	99	1	112
Retail Trade	97	3	158
Other	99	1	552
Overall total	98	2	1,804

Notes

Percentages are based on weighted data to represent the proportion of recent migrants. The Base N column refers to the number of respondents (that is, they are unweighted numbers).

* The overall total is different from the overall total for industry. This is because not all participants specified the industry they worked in.

Table A7: Migrants reporting at least one breach of their employment rights, 2019

Category	Breach of employment rights		Base N [#]
	No %	Yes %	
Country of origin			
China	92	8	188
Great Britain & Ireland	95	5	235
India	92	8	286
Latin America	95	5	127
Philippines	91	9	245
North America	93	7	99
Other	89	11	654
Policy category			
Family Partner	92	8	312
Skilled Principal	96	4	344
Skilled Secondary	93	7	209
<i>Total residence</i>	<i>94</i>	<i>6</i>	<i>865</i>
Essential Skills	92	8	330
Temporary Family	91	9	219
Working Holiday Scheme	89	11	263
Temporary Other	93	7	157
<i>Total temporary work</i>	<i>91</i>	<i>9</i>	<i>969</i>
Industry*			
Accommodation and Food Services	87	13	249
Agriculture, Forestry and Fishing	83	17	191
Construction	89	11	151
Health Care and Social Assistance	95	5	242
Information, Media and Telecommunications	94	6	134
Manufacturing	93	7	113
Retail Trade	93	7	161
Other	96	4	556
Overall total	91	9	1,834

Notes

Percentages are based on weighted data to represent the proportion of recent migrants. The Base N column refers to the number of respondents (that is, they are unweighted numbers).

* The overall total is different from the overall total for industry. This is because not all participants specified the industry they worked in.

Table A8: Migrants reporting being treated fairly, 2019

Category	Being treated fairly		Base N [#]
	No %	Yes %	
Country of origin			
China	11	89	173
Great Britain & Ireland	6	94	226
India	5	95	263
Latin America	9	91	120
Philippines	5	95	226
North America	7	93	94
Other	8	92	587
Policy category			
Family Partner	9	91	278
Skilled Principal	7	93	313
Skilled Secondary	6	94	199
<i>Total residence</i>	8	92	790
Essential Skills	10	90	302
Temporary Family	7	93	205
Working Holiday Scheme	8	92	248
Temporary Other	3	97	144
<i>Total temporary work</i>	7	93	899
Industry*			
Accommodation and Food Services	12	88	235
Agriculture, Forestry and Fishing	9	91	176
Construction	8	92	140
Health Care and Social Assistance	4	96	228
Information, Media and Telecommunications	2	98	120
Manufacturing	5	95	103
Retail Trade	4	96	146
Other	6	94	512
Overall total	7	93	1,689
Survey year			
2013	6	94	1,457
2014	6	94	1,337

Category	Being treated fairly		Base N [#]
	No %	Yes %	
2016	7	93	1,678
2017	4	96	1,804
2018	7	90	1,689

Notes

- # Percentages are based on weighted data to represent the proportion of recent migrants. The Base N column refers to the number of respondents (that is, they are unweighted numbers).
- * The overall total is different from the overall total for industry. This is because not all participants specified the industry they worked in.

Table A9: Migrants reporting feeling threatened by employer, 2019

Category	Feeling threatened by employer		Base N [#]
	No %	Yes %	
Country of origin			
China	98	2	186
Great Britain & Ireland	95	5	229
India	93	7	273
Latin America	94	6	121
Philippines	98	2	237
North America	97	3	93
Other	90	10	634
Policy category			
Family Partner	93	7	302
Skilled Principal	97	3	336
Skilled Secondary	96	4	205
<i>Total residence</i>	<i>95</i>	<i>5</i>	<i>843</i>
Essential Skills			
Essential Skills	94	6	313
Temporary Family	91	9	211
Working Holiday Scheme	92	8	255
Temporary Other	98	2	151
<i>Total temporary work</i>	<i>93</i>	<i>7</i>	<i>930</i>
Industry*			
Accommodation and Food Services	92	8	232
Agriculture, Forestry and Fishing	88	12	186
Construction	95	5	145
Health Care and Social Assistance	95	5	237
Information, Media and Telecommunications	98	2	130
Manufacturing	93	7	110
Retail Trade	92	8	157
Other	95	5	544
Overall total	94	6	1,773

Notes

Percentages are based on weighted data to represent the proportion of recent migrants. The Base N column refers to the number of respondents (that is, they are unweighted numbers).

* The overall total is different from the overall total for industry. This is because not all participants specified the industry they worked in.

Table A10: Migrants asking for help with work conditions, 2019

Category	Asking for help with work conditions		Base N [#]
	No %	Yes %	
Country of origin			
China	95	5	183
Great Britain & Ireland	94	6	234
India	94	6	281
Latin America	95	5	126
Philippines	97	3	243
North America	94	6	99
Other	96	4	643
Policy category			
Family Partner	96	4	305
Skilled Principal	95	5	340
Skilled Secondary	96	4	206
<i>Total residence</i>	<i>95</i>	<i>5</i>	<i>851</i>
Essential Skills	93	7	323
Temporary Family	96	4	218
Working Holiday Scheme	95	5	262
Temporary Other	95	5	155
<i>Total temporary work</i>	<i>95</i>	<i>5</i>	<i>958</i>
Industry*			
Accommodation and Food Services	97	3	243
Agriculture, Forestry and Fishing	95	5	190
Construction	92	8	149
Health Care and Social Assistance	98	2	241
Information, Media and Telecommunications	99	1	132
Manufacturing	100	0	113
Retail Trade	95	5	156
Other	93	7	551
Overall total	95	5	1,809

Notes

Percentages are based on weighted data to represent the proportion of recent migrants. The Base N column refers to the number of respondents (that is, they are unweighted numbers).

* The overall total is different from the overall total for industry. This is because not all participants specified the industry they worked in.

Appendix B: Data tables – Migrant Survey 2018

Table B1: Policy category by nationality, 2018**

Policy category	China	Great Britain & Ireland	India	Philippines	Latin America	Other	Base N [#]
	%						
Family Partner	15	13	17	8	4	44	381
Skilled Principal*	16	13	23	13	4	31	399
Skilled Secondary [†]	18	12	14	14	4	38	244
<i>Total residence</i>	<i>16</i>	<i>13</i>	<i>19</i>	<i>12</i>	<i>4</i>	<i>37</i>	<i>1,024</i>
Essential Skills	3	14	15	22	8	37	374
Temporary Family	9	9	21	9	4	47	286
Working Holiday Scheme	2	22	0	0	2	74	245
Temporary Other	20	6	22	13	2	37	208
<i>Total temporary work</i>	<i>7</i>	<i>15</i>	<i>11</i>	<i>8</i>	<i>4</i>	<i>55</i>	<i>1,113</i>
Overall total	9	14	13	9	4	50	2,137

Notes

- # Percentages are based on weighted data to represent the proportion of recent migrants. The Base N column refers to the number of respondents (that is, they are unweighted numbers).
- * A principal applicant for a Skilled Migrant visa.
- † A secondary applicant for a Skilled Migrant visa.
- ** 'Don't know' and 'rather not say' responses have also been excluded from percentages in tables unless otherwise stated.

Table B2: Country of origin and policy category by age group, 2018

Category	Age group (% [#])							
	18–19 years	20–24 years	25–29 years	30–39 years	40–49 years	50–59 years	60–69 years	70+ years
Country of origin								
China	0	16	41	31	10	1	0	0
Great Britain & Ireland	1	16	43	30	6	3	<1	<1
India	<1	19	44	31	5	<1	0	0
Philippines	0	4	24	44	23	5	0	0
Latin America	1	7	39	49	2	2	0	0
Other	6	14	36	33	8	3	<1	<1
Policy category								
Family Partner	0	11	34	38	10	5	1	<1
Skilled Principal	0	9	33	41	13	3	0	0
Skilled Secondary	1	6	16	51	19	6	0	0
<i>Total residence visas</i>	<1	9	29	43	14	5	<1	<1
Essential Skills	0	7	38	41	11	3	1	0
Temporary Family	0	10	31	42	13	3	<1	0
Working Holiday Scheme	10	21	50	19	0	0	0	0
Temporary Other	0	21	31	33	12	3	0	0
<i>Total temporary work visas</i>	4	16	41	30	7	2	<1	0
Overall total	3	14	37	34	9	2	<1	<1

Note

[#] Percentages are based on weighted data to represent the proportion of recent migrants.

Table B3: Industry of employment, 2018

Category	Accommodation & Food Services	Agriculture, Forestry & Fishing	Construction	Health Care & Social Assistance	Information, Media & Telecommunications	Manufacturing	Retail Trade	Other	Base N#
	%								
Country of origin									
China	14	8	8	8	13	5	5	39	147
Great Britain & Ireland	14	6	12	9	3	4	6	47	300
India	13	4	2	14	13	7	10	37	259
Latin America	27	7	10	3	9	11	4	28	99
Philippines	7	10	10	37	4	7	5	20	286
Other	21	15	8	7	4	3	5	36	761
Policy category									
Family Partner	8	4	5	13	5	5	12	49	289
Skilled Principal	7	2	14	14	18	4	2	39	388
Skilled Secondary	9	4	4	15	4	7	8	49	187
Essential Skills	20	10	9	18	6	4	7	27	360
Temporary Family	15	5	7	12	4	8	7	42	230
Working Holiday Scheme	26	25	7	6	0	3	5	28	200
Temporary Other	16	4	8	10	12	4	5	41	198
Total	17	11	8	12	6	5	6	36	1,852

Note

Percentages are based on weighted data to represent the proportion of recent migrants. The Base N column refers to the number of respondents (that is, they are unweighted numbers).

Table B4: Occupation, 2018

Category	Managers	Professionals	Technicians & trade workers	Community & personal service workers	Clerical & administrative workers	Machinery operators and drivers	Sales workers	Labourers	Base N [#]
	%								
Country of origin									
China	6	47	8	9	8	1	6	8	134
Great Britain & Ireland	14	29	18	11	13	2	3	9	290
India	11	27	15	14	10	5	9	7	253
Latin America	7	26	19	13	6	1	5	20	95
Philippines	9	26	19	16	9	6	3	11	275
Other	8	27	14	17	9	2	4	16	743
Policy category									
Family Partner	9	26	10	19	12	7	9	7	276
Skilled Principal	7	58	21	3	4	2	2	2	374
Skilled Secondary	6	24	8	19	18	6	7	11	178
<i>Total residence</i>	7	42	15	11	9	4	5	5	828
Essential Skills									
Temporary Family	9	20	12	17	16	3	8	12	229
Working Holiday Scheme	8	18	10	20	9	<1	3	27	188
Temporary Other	8	42	24	7	8	2	5	2	188
<i>Total temporary work</i>	10	24	15	16	9	2	4	15	962
Total	9	29	15	15	9	3	5	13	1,790

Note

Percentages are based on weighted data to represent the proportion of recent migrants. The Base N column refers to the number of respondents (that is, they are unweighted numbers).

Table B5: Migrants reporting having a written employment agreement, 2018

Category	Written employment agreement			Base N [#]
	No %	Yes %	Don't know [†] %	
Country of origin				
China	3	96	1	135
Great Britain & Ireland	3	96	<1	289
India	2	98	0	256
Latin America	5	95	1	95
Philippines	1	99	<1	288
Other	6	93	2	736
Policy category				
Family Partner	4	95	1	267
Skilled Principal*	1	99	0	368
Skilled Secondary [†]	1	98	2	175
<i>Total residence</i>	<i>2</i>	<i>97</i>	<i>1</i>	<i>810</i>
Essential Skills	0	100	0	369
Temporary Family	5	94	1	225
Working Holiday Scheme	8	90	2	201
Temporary Other	3	96	1	193
<i>Total temporary work</i>	<i>5</i>	<i>94</i>	<i>1</i>	<i>988</i>
Industry*				
Accommodation and Food Services	3	96	1	234
Agriculture, Forestry and Fishing	12	88	0	138
Construction	2	94	4	146
Health Care and Social Assistance	0	100	<1	248
Information, Media and Telecommunications	0	99	1	127
Manufacturing	6	94	<1	98
Retail Trade	5	89	5	106
Other	4	96	<1	663
Overall total	4	95	1	1,798
Survey year				
2013	6	94	<1	1,560
2014	4	96	1	1,457
2015	4	95	1	1,058

Category	Written employment agreement			Base N [#]
	No %	Yes %	Don't know [†] %	
2016	5	93	1	1,806
2017	2	96	1	1,896

Notes

Percentages are based on weighted data to represent the proportion of recent migrants. The Base N column refers to the number of respondents (that is, they are unweighted numbers).

* The overall total is different from the overall total for industry. This is because not all participants specified the industry they worked in.

† 'Don't know' responses are included in this table.

Table B6: Migrants reporting entitlements held back, 2018

Category	Entitlements held back		Base N [#]
	No %	Yes %	
Country of origin			
China	97	3	132
Great Britain & Ireland	98	2	286
India	100	<1	252
Latin America	94	6	91
Philippines	98	2	283
Other	99	2	717
Policy category			
Family Partner	97	3	260
Skilled Principal	99	1	365
Skilled Secondary	100	0	175
<i>Total residence</i>	<i>99</i>	<i>1</i>	<i>800</i>
Essential Skills	97	3	357
Temporary Family	97	3	222
Working Holiday Scheme	99	1	196
Temporary Other	99	1	186
<i>Total work</i>	<i>98</i>	<i>2</i>	<i>961</i>
Industry*			
Accommodation and Food Services	99	1	225
Agriculture, Forestry and Fishing	99	1	131
Construction	99	1	143
Health Care and Social Assistance	99	1	247
Information, Media and Telecommunications	99	1	127
Manufacturing	98	2	97
Retail Trade	93	7	103
Other	98	2	651
Overall total	98	2	1,761

Notes

Percentages are based on weighted data to represent the proportion of recent migrants. The Base N column refers to the number of respondents (that is, they are unweighted numbers).

* The overall total is different from the overall total for industry. This is because not all participants specified the industry they worked in.

Table B7: Migrants reporting being paid less than the minimum wage, 2018

	Paid less than the minimum wage			Base N#
	No %	Yes %	Don't know %	
Country of origin				
China	95	4	1	135
Great Britain & Ireland	100	0	<1	286
India	97	1	2	251
Latin America	98	1	1	94
Philippines	96	1	3	283
Other	95	4	2	738
Policy category				
Family Partner	96	1	3	265
Skilled Principal	99	<1	1	364
Skilled Secondary	97	2	1	174
<i>Total residence</i>	<i>98</i>	<i>1</i>	<i>1</i>	<i>803</i>
Essential Skills				
Essential Skills	98	1	2	366
Temporary Family	96	1	3	224
Working Holiday Scheme	93	6	1	201
Temporary Other	97	1	2	193
<i>Total temporary work</i>	<i>95</i>	<i>3</i>	<i>2</i>	<i>984</i>
Industry*				
Accommodation and Food Services	98	1	1	231
Agriculture, Forestry and Fishing	87	8	5	137
Construction	98	0	2	146
Health Care and Social Assistance	96	3	1	246
Information, Media and Telecommunications	99	0	1	126
Manufacturing	99	0	1	98
Retail Trade	91	8	1	107
Other	97	1	1	661
Overall total	96	2	2	1,787

Notes

Percentages are based on weighted data to represent the proportion of recent migrants. The Base N column refers to the number of respondents (that is, they are unweighted numbers).

* The overall total is different from the overall total for industry. This is because not all participants specified the industry they worked in.

Table B8: Migrants reporting paying to keep job, 2018

Category	Paying to keep job		Base N [#]
	No %	Yes %	
Country of origin			
China	98	2	136
Great Britain & Ireland	98	2	289
India	100	<1	252
Latin America	100	0	94
Philippines	100	<1	285
Other	99	1	728
Policy category			
Family Partner	99	1	266
Skilled Principal	100	<1	367
Skilled Secondary	100	0	175
<i>Total residence</i>	<i>100</i>	<i><1</i>	<i>808</i>
Essential Skills	99	1	359
Temporary Family	99	1	225
Working holiday Scheme	99	1	201
Temporary Other	100	x	191
<i>Total temporary work</i>	<i>99</i>	<i>1</i>	<i>976</i>
Industry*			
Accommodation and Food Services	100	<1	230
Agriculture, Forestry and Fishing	100	0	137
Construction	99	1	143
Health Care and Social Assistance	99	1	247
Information, Media and Telecommunications	100	0	125
Manufacturing	99	1	99
Retail Trade	97	3	107
Other	99	1	658
Overall total	99	1	1,784

Notes

Percentages are based on weighted data to represent the proportion of recent migrants. The Base N column refers to the number of respondents (that is, they are unweighted numbers).

* The overall total is different from the overall total for industry. This is because not all participants specified the industry they worked in.

Table B9: Migrants reporting at least one breach of their employment rights, 2018

Category	Breach of employment rights		Base N [#]
	No %	Yes %	
Country of origin			
China	92	8	138
Great Britain & Ireland	94	6	289
India	97	3	256
Latin America	91	9	94
Philippines	96	4	288
Other	91	9	742
Policy category			
Family Partner	92	8	267
Skilled Principal	97	3	368
Skilled Secondary	97	3	177
<i>Total residence</i>	<i>96</i>	<i>4</i>	<i>812</i>
Essential Skills	96	4	369
Temporary Family	92	8	226
Working Holiday Scheme	87	13	202
Temporary Other	96	4	198
<i>Total temporary work</i>	<i>92</i>	<i>8</i>	<i>995</i>
Industry*			
Accommodation and Food Services	94	6	235
Agriculture, Forestry and Fishing	82	18	139
Construction	97	3	146
Health Care and Social Assistance	96	4	249
Information, Media and Telecommunications	99	1	127
Manufacturing	92	8	100
Retail Trade	83	17	107
Other	94	6	666
Overall total	93	7	1,807

Notes

Percentages are based on weighted data to represent the proportion of recent migrants. The Base N column refers to the number of respondents (that is, they are unweighted numbers).

* The overall total is different from the overall total for industry. This is because not all participants specified the industry they worked in.

Table B10: Migrants reporting being treated fairly, 2018

Category	Being treated fairly		Base N [#]
	No %	Yes %	
Country of origin			
China	9	91	125
Great Britain & Ireland	6	94	281
India	12	88	242
Latin America	20	80	87
Philippines	10	90	260
Other	12	88	695
Policy category			
Family Partner	12	88	253
Skilled Principal	11	89	344
Skilled Secondary	6	94	166
<i>Total residence</i>	<i>10</i>	<i>90</i>	<i>763</i>
Essential Skills	13	87	336
Temporary Family	5	95	215
Working Holiday Scheme	12	88	195
Temporary Other	12	88	181
<i>Total temporary work</i>	<i>11</i>	<i>89</i>	<i>927</i>
Industry*			
Accommodation and Food Services	12	88	212
Agriculture, Forestry and Fishing	13	87	127
Construction	9	91	142
Health Care and Social Assistance	10	90	232
Information, Media and Telecommunications	8	92	120
Manufacturing	12	88	89
Retail Trade	19	81	104
Other	8	92	630
Overall total	10	90	1,690
Survey year			
2013	6	94	1,457
2014	6	94	1,337

Category	Being treated fairly		Base N [#]
	No %	Yes %	
2016	7	93	1,678
2017	4	96	1,804

Notes

- # Percentages are based on weighted data to represent the proportion of recent migrants. The Base N column refers to the number of respondents (that is, they are unweighted numbers).
- * The overall total is different from the overall total for industry. This is because not all participants specified the industry they worked in.

Table B11: Migrants reporting feeling threatened by employer, 2018

Category	Feeling threatened by employer		Base N [#]
	No %	Yes %	
Country of origin			
China	97	3	130
Great Britain & Ireland	97	3	280
India	97	3	244
Latin America	97	3	89
Philippines	95	5	274
Other	94	6	718
Policy category			
Family Partner	95	5	259
Skilled Principal	94	6	358
Skilled Secondary	98	2	168
<i>Total residence</i>	<i>95</i>	<i>5</i>	<i>785</i>
Essential Skills	94	6	352
Temporary Family	96	4	219
Working Holiday Scheme	96	4	197
Temporary Other	97	3	182
<i>Total temporary work</i>	<i>96</i>	<i>4</i>	<i>950</i>
Industry*			
Accommodation and Food Services	96	4	221
Agriculture, Forestry and Fishing	93	7	135
Construction	98	2	140
Health Care and Social Assistance	96	4	242
Information, Media and Telecommunications	97	3	122
Manufacturing	98	2	98
Retail Trade	97	3	105
Other	94	6	636
Overall total	96	4	1,735

Notes

Percentages are based on weighted data to represent the proportion of recent migrants. The Base N column refers to the number of respondents (that is, they are unweighted numbers).

* The overall total is different from the overall total for industry. This is because not all participants specified the industry they worked in.

Table B12: Migrants asking for help with work conditions, 2018

Category	Asking for help with work conditions		Base N [#]
	No %	Yes %	
Country of origin			
China	88	12	138
Great Britain & Ireland	94	6	284
India	95	5	254
Latin America	95	5	94
Philippines	94	6	287
Other	95	5	730
Policy category			
Family Partner	92	8	266
Skilled Principal	95	5	365
Skilled Secondary	95	5	176
<i>Total residence</i>	<i>94</i>	<i>6</i>	<i>807</i>
Essential Skills	93	7	363
Temporary Family	95	5	225
Working Holiday Scheme	93	7	200
Temporary Other	95	5	192
<i>Total temporary work</i>	<i>94</i>	<i>6</i>	<i>980</i>
Industry*			
Accommodation and Food Services	96	4	234
Agriculture, Forestry and Fishing	89	11	135
Construction	97	3	144
Health Care and Social Assistance	94	6	246
Information, Media and Telecommunications	95	5	127
Manufacturing	97	3	98
Retail Trade	96	4	105
Other	92	8	636
Overall total	94	6	1,787

Notes

Percentages are based on weighted data to represent the proportion of recent migrants. The Base N column refers to the number of respondents (that is, they are unweighted numbers).

* The overall total is different from the overall total for industry. This is because not all participants specified the industry they worked in.

Appendix C: Methodology

The Migrant Survey has been conducted annually since 2009 as part of the Immigration Survey Monitoring Programme. In 2013, questions on employment conditions were added to the survey. In 2018, additional questions on work conditions were added.

Migrants who are eligible for the survey are those on a work visa who were granted their visas or arrived in New Zealand at least six months before selection and those on a residence visa (Skilled Principal, Skilled Secondary, and Family Partner) who were granted their visa or arrived in New Zealand at least 12 months before selection.²⁶

A mixed-methodology approach has been used: an online survey, a self-completion paper questionnaire and telephone interviews. From 2015, the survey methodology no longer included telephone interviews as these were not considered to be a cost-effective method given it was estimated online and paper surveys would cover around 95 per cent of the total population of interest.

The target population for the Migrant Survey is migrants aged 18 and over who were admitted under the Skilled Business Migrant (principal and secondary applicants), Family Sponsored (parent and partner applicants) and Work Visa schemes. Excluded from the survey are migrants admitted under the Student Policy or Pacific Quota scheme or through refugee categories.

The survey was offered only in English until 2014. At that stage, a decision was made to offer prospective respondents the option of completing a Chinese language version of the online survey to improve response rates among those who had recently migrated from China.

The achieved sample size for the 2019 survey was 2,264 and for the 2018 survey was 2,137. The adjusted response rate for the 2019 survey was 34.5 per cent and for the 2018 survey was 36 per cent. (See Table C1.)

Quantitative analysis was completed using SAS software using weighted data.

Base numbers shown in figures and tables are unweighted, and percentages in the report are calculated by excluding all 'missing' data. In addition, 'don't know' and 'rather not say' responses have also been excluded from percentages in tables unless otherwise stated.

Table C1: Sample achieved and response rates for the 2018 and 2019 Migrant Survey

Survey year	Sample achieved	Response rate
2019	2,264	34.5%
2018	2,137	36.0%

In this paper, we represent sampling error through 95 per cent confidence intervals – a range within which there is a 95 per cent likelihood that the true population estimate lies. Differences between estimates can be said to be statistically significant where the confidence intervals for the two estimates do not overlap.

²⁶ Some eligible migrants will have been in New Zealand longer as they could have had multiple visas before the one that selected them in the sample. MBIE is interested in new migrants who have been in New Zealand for up to five years, so these respondents are still eligible for the survey, providing they have not been in New Zealand more than five years.

Appendix D: Employment rights

Employment agreements

An employment agreement is a contract between an employer and a worker. It covers things like hours of work, rates of pay and holidays. The Employment Relations Act 2000 stipulates that every worker must have an employment agreement. It is legally binding, which means if one side does not do what they have agreed to, the other side can enforce the agreement through the Employment Relations Authority.²⁷

All employment agreements must include certain mandatory clauses. Minimum employment conditions that are not mentioned in the employment agreement are still legally binding such as entitlements to four weeks' annual leave, a minimum wage and fair treatment.

Minimum leave and entitlements

All employees, regardless of their classification (that is, part-time, full-time, fixed-term and casual workers) but not including members of the armed forces, are entitled to at least:²⁸

- four weeks' paid annual holidays ('annual leave') after each 12 months of continuous employment for their employer for rest and recreation – although employees, who meet specific criteria, may agree in their employment agreement to be paid annual holidays on a 'pay-as-you-go' basis
- up to 11 public holidays each year, if they are days the employee would otherwise work; these are days of national, religious or cultural significance, and employees should be able to take them as leave, where possible
- access to sick leave and bereavement leave after either:
 - six months of current continuous employment with the same employer
 - working for the employer for six months for an average of 10 hours per week, and at least one hour in every week or 40 hours in every month.

²⁷ Employment Relations Authority website, <https://www.era.govt.nz/>

²⁸ Employment New Zealand (no date). [Minimum leave and holidays entitlements](#) (webpage).

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