

# Temporary migrant worker exploitation research programme: quantitative findings

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MINISTRY OF BUSINESS,  
INNOVATION & EMPLOYMENT  
HĪKINA WHAKATUTUKI

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Research purpose



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# Research purpose

MBIE is leading part of a Government initiative to address temporary migrant worker exploitation in New Zealand. Most research to date has focused on understanding the situation of temporary migrants (those on short term or student visas). However, there is little previous work that segments/prioritises temporary migrant worker populations or understands employers who hire and potentially exploit these migrants. Prioritising audiences and shifting employer attitudes and behaviours will be key to the success of the overall initiative.



The research programme delivers insights into both worker and employer mindsets. Key objectives are to:

1. Develop baseline measures of knowledge, vulnerability, and markers of exploitation to enable future tracking of programme initiatives
2. Identify different migrant worker groups and employer segments to enable MBIE to target at risk groups
3. Understand barriers and triggers, influences and how best to communicate with priority audiences to shape engagement strategies
4. Benchmark key results with wider employer and worker populations.

# Method

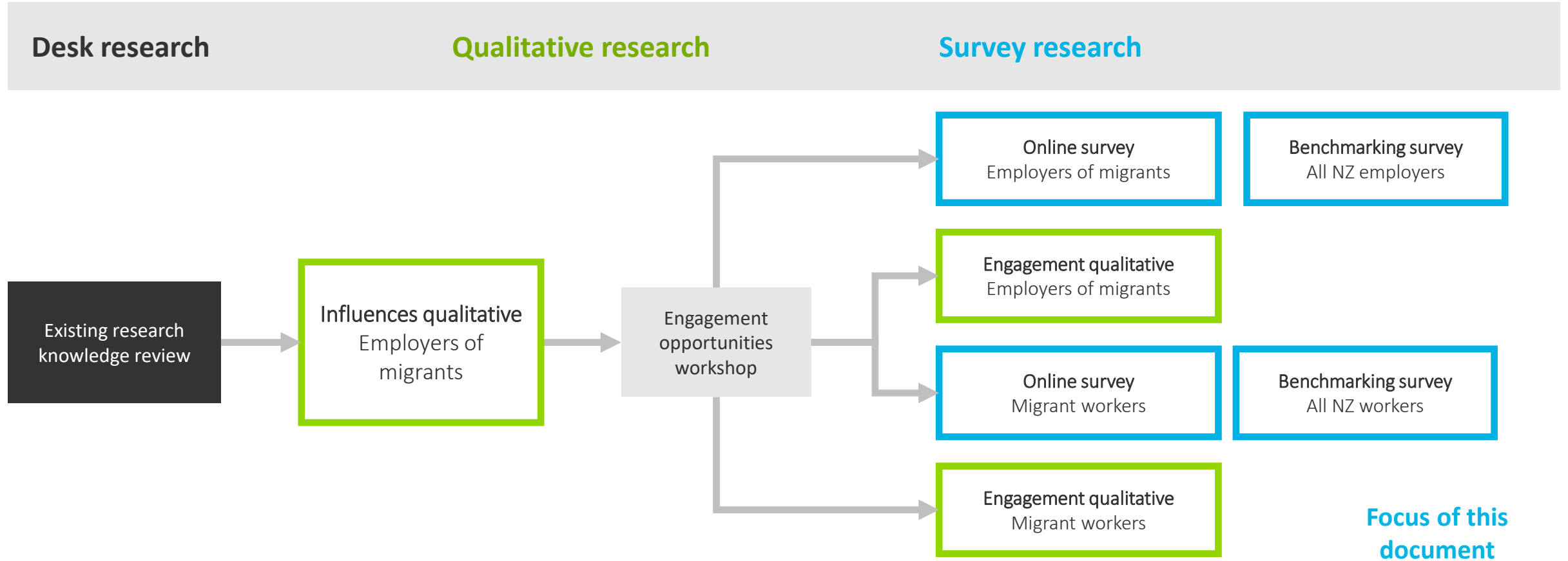
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# Overview of research programme

The research programme consisted of a knowledge review, qualitative research, and quantitative research. This report details the findings from the four quantitative surveys. Separate reports detail the full findings of the knowledge review and qualitative research.



# Research approach – surveys of workers

## SURVEY OF MIGRANT WORKERS

- Online survey of 964 temporary migrant workers<sup>1</sup> (i.e. migrants who are currently living in NZ, came to NZ in the last 5 years and have been in paid work during that time either as an employee or contractor).
- Respondents sourced from lists provided by MBIE (n=883), networking via community groups (n=71), and snowballing via respondents who had already completed the survey (n=10).
- Fieldwork conducted 3 November – 8 December 2021.
- Average survey length of 20-minutes.
- Translated versions of the questionnaire meant respondents completed the survey in English (806), Samoan (3), Fijian (6), Tongan (8), Punjabi (1), Hindi (1), Tagalog (23), and simplified Chinese (82).
- Response rate of 18% (for MBIE lists)<sup>2</sup>. Data are unweighted.

## BENCHMARK SURVEY OF WORKERS



Online survey of 669 workers in New Zealand in part-time or full-time paid employment (not self-employed).



Fieldwork 17-24 November 2021.



Questions were placed on Kantar's regular omnijet survey, which sources respondents from our online panel. Regional and age by gender quotas were set.



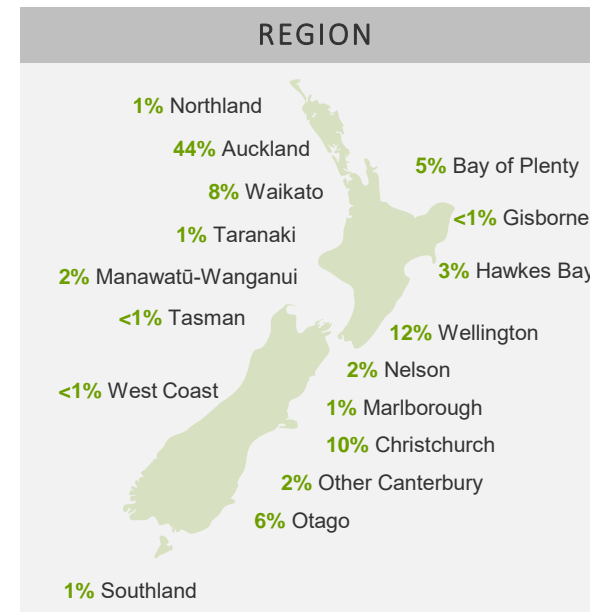
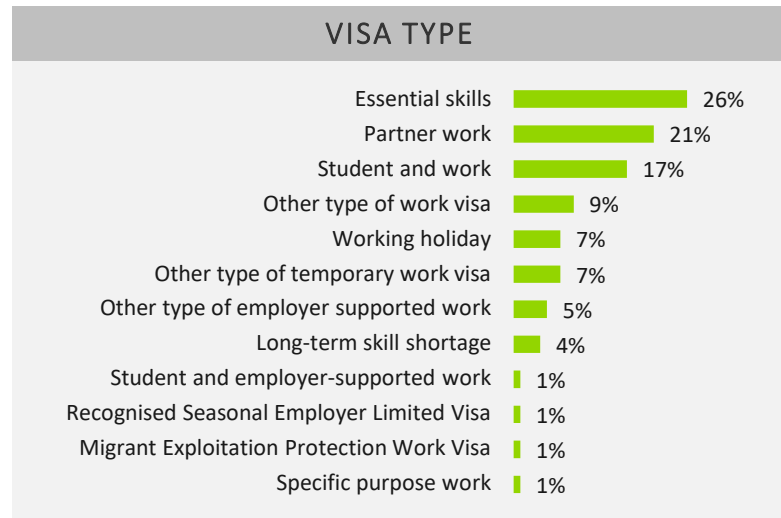
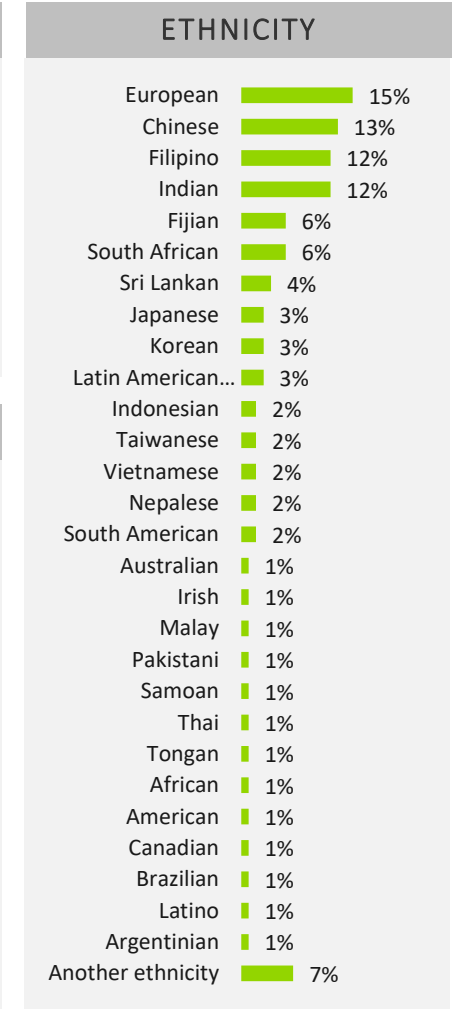
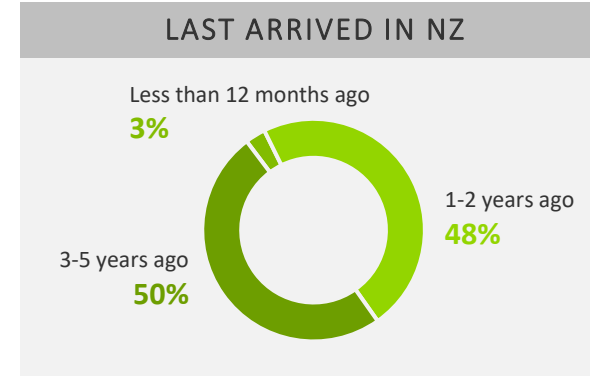
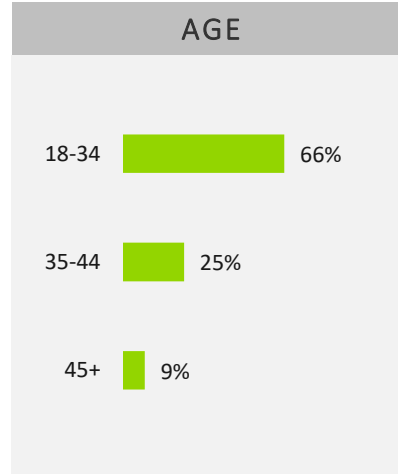
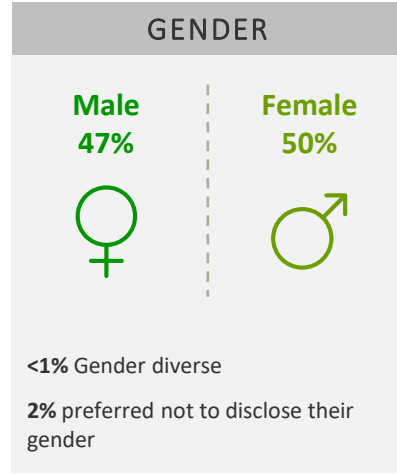
26% response rate. Data are weighted by age x gender, and region.

<sup>1</sup>Respondents on the following visas qualified for the survey: working holiday visa, student and work visa, student and employer-supported work visa, essential skills visa, long-term skill shortage visa, Recognised Seasonal Employer Limited Visa (RSE), another type of employer supported work visa, Migrant Exploitation Protection Work visa, partner work visa, other type of temporary work visa, specific purpose work visa, other type of work visa. Migrants who were currently working, but without a current visa also qualified for the survey.

<sup>2</sup>The response rate was calculated by estimating the proportion of eligible migrants sent the survey who went on to complete the survey. This is likely to be a conservative response rate as it assumes the qualifying proportion of people on the sample lists who did not attempt to do the survey is the same as the qualifying proportion of the people who attempted to do the survey.

# Who we surveyed – migrant workers

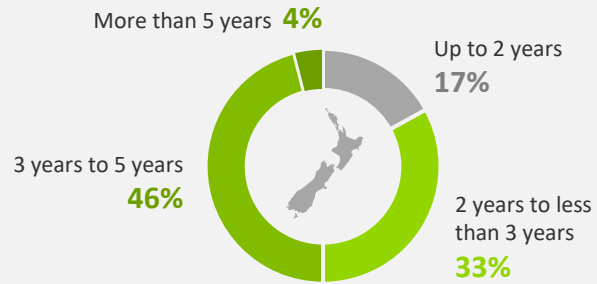
LANGUAGE SURVEY COMPLETED IN	
Language	Number of interviews
English	840
Simplified Chinese	82
Tagalog	23
Tongan	8
Fijian	6
Samoa	3
Punjabi	1
Hindi	1



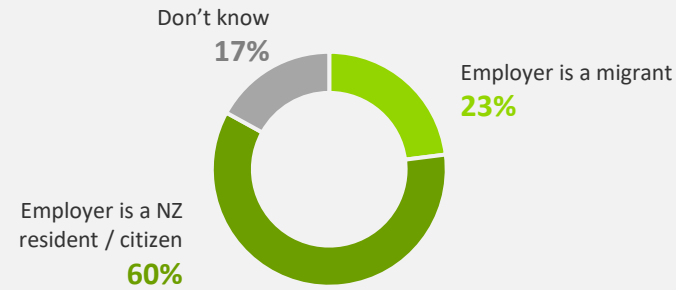


# Who we surveyed – migrant workers

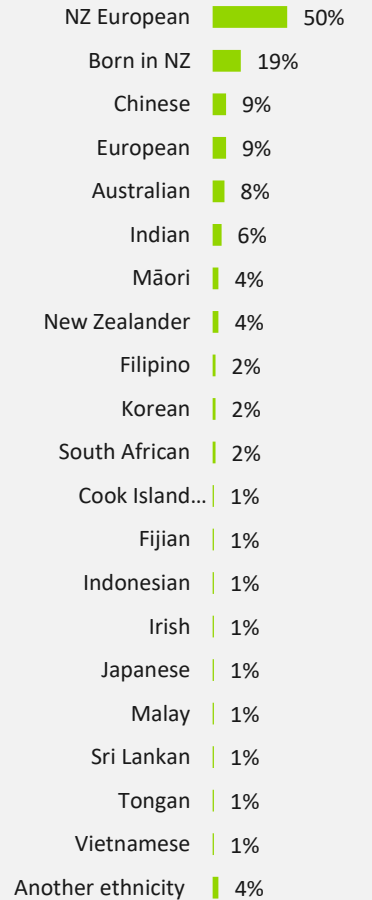
## TOTAL TIME SPENT IN NZ



## MIGRANT STATUS OF WORKER'S EMPLOYER



## ETHNICITY OF WORKER'S EMPLOYER

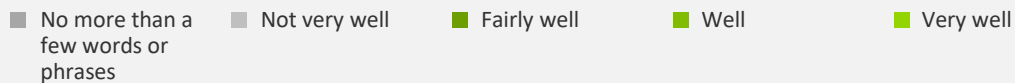


## WORKER'S ENGLISH PROFICIENCY

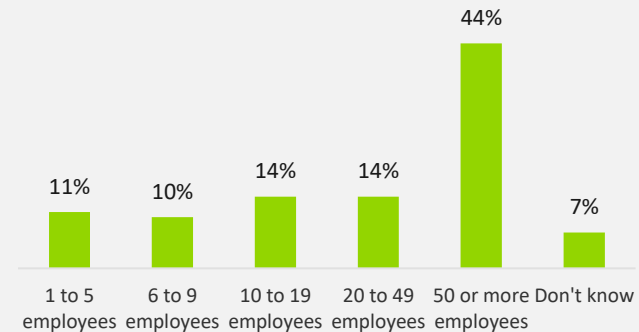
### HAVE A CONVERSATION



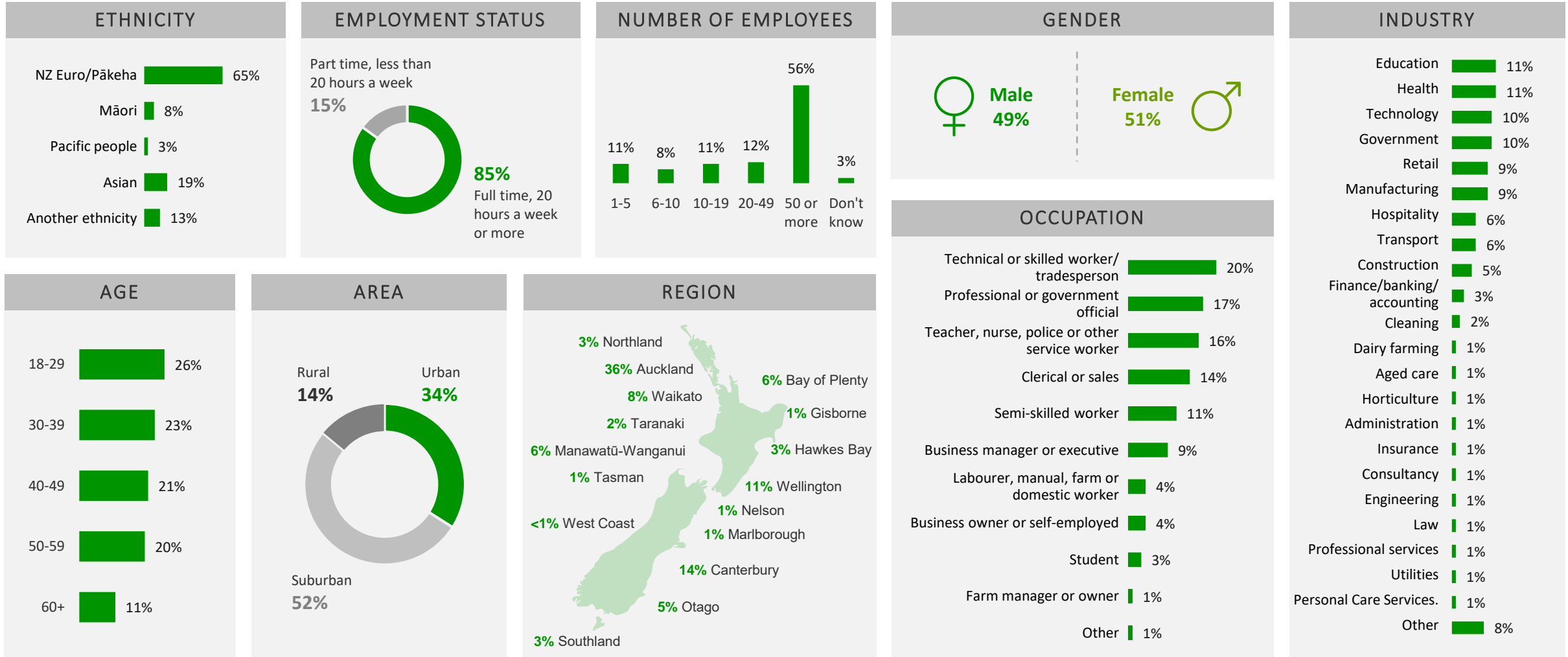
### READ AND UNDERSTAND



## NUMBER OF EMPLOYEES IN BUSINESS



# Who we surveyed – benchmark workers



# Research approach – surveys of employers

## SURVEY OF EMPLOYERS OF MIGRANTS

- Online survey of 1,345 employers of migrant workers (either currently employed or in the last 5 years).
- Fieldwork conducted 8 November - 1 December 2021.
- Average survey length of 20-minutes.
- Respondents sourced from lists provided by MBIE (n=1,334), networking via community groups (n=4), and snowballing via respondents who had already completed the survey (n=7).
- Response rate cannot be accurately calculated because lists included very large numbers of employers who did not qualify for the survey.
- Data are unweighted.

## BENCHMARK SURVEY OF EMPLOYERS



Online survey of 402 employers. Respondents sourced from Kantar's online panel of businesses.



Respondents were either a business owner, director, manager, or team leader. Only businesses that currently employ people qualified for the survey.



Fieldwork conducted 11-21 November 2021.

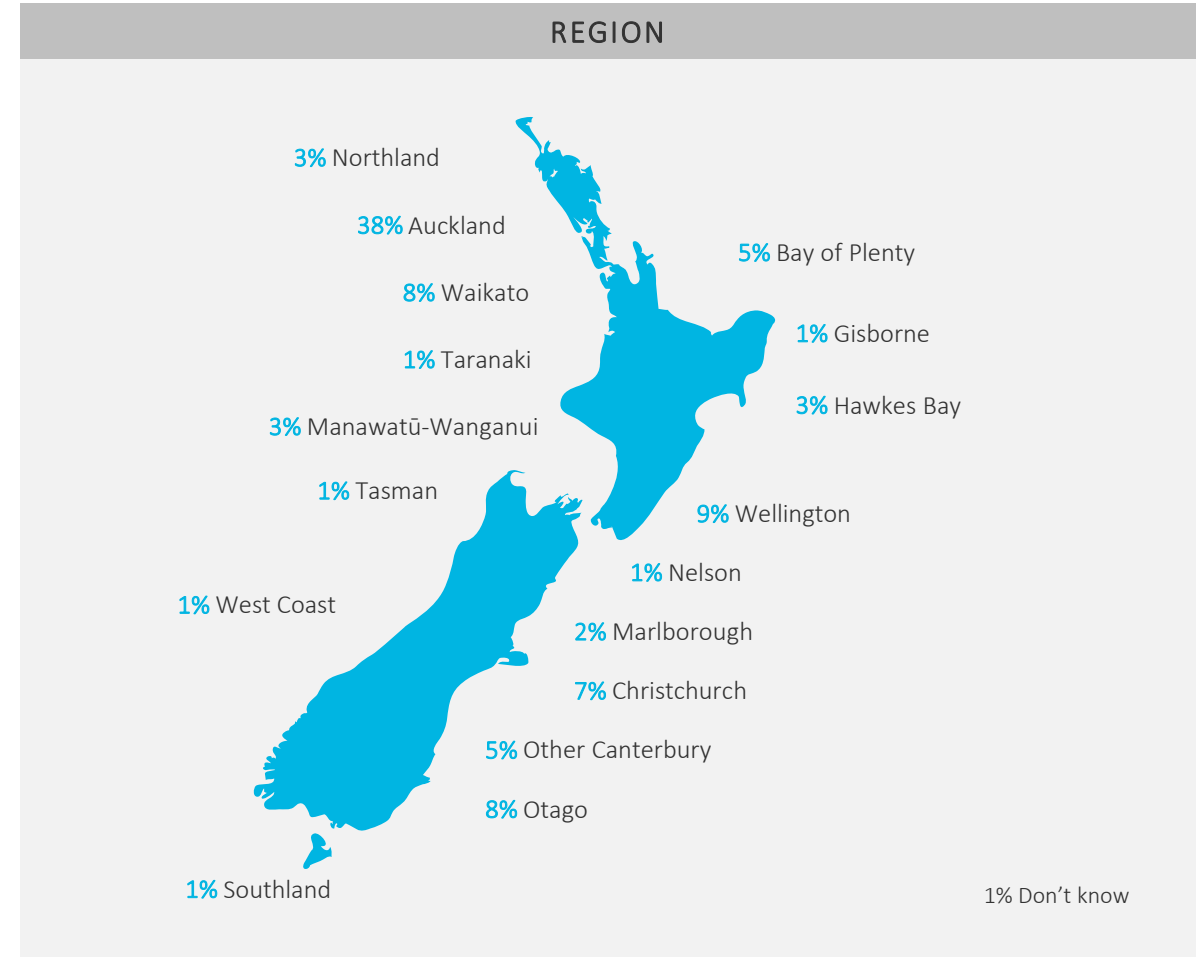
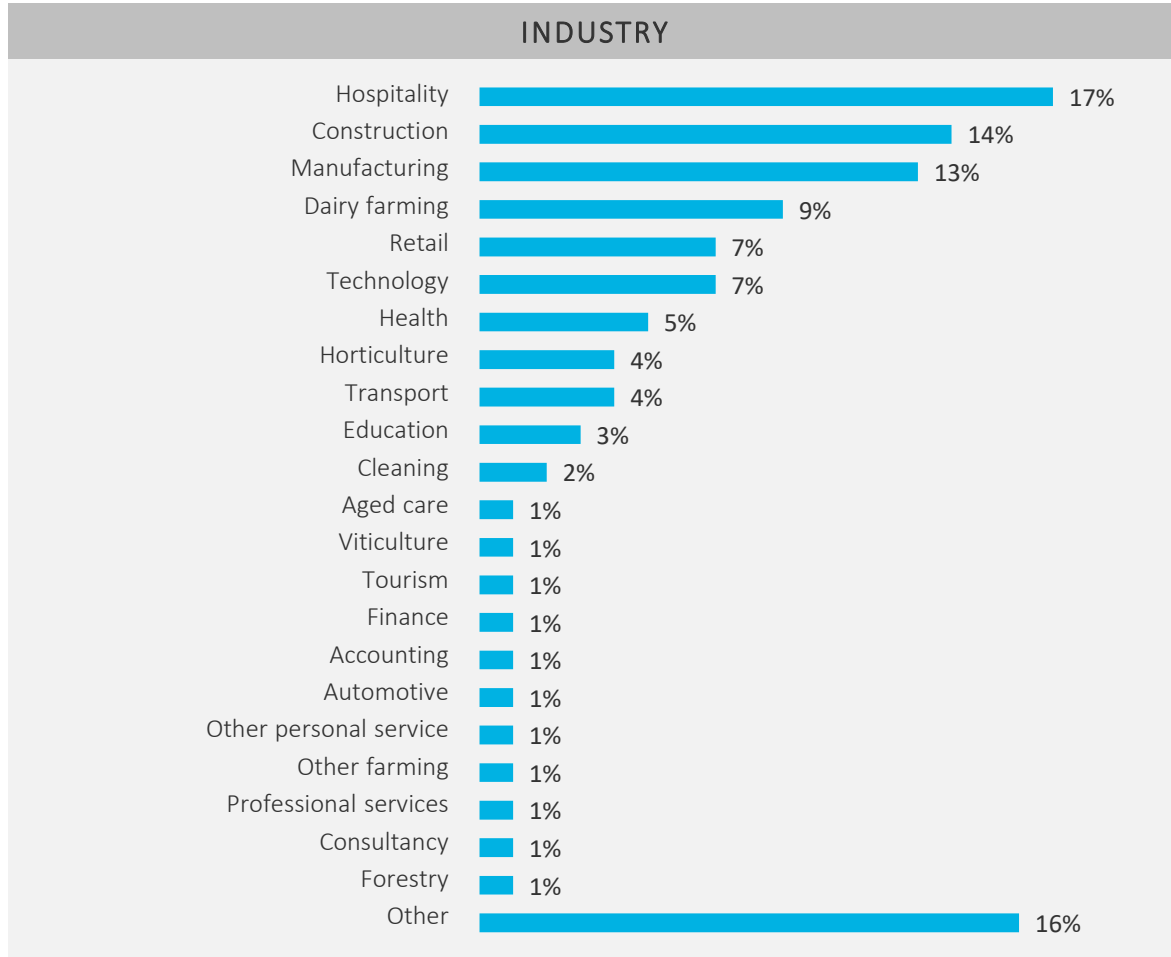


Average survey length of 13-minutes.



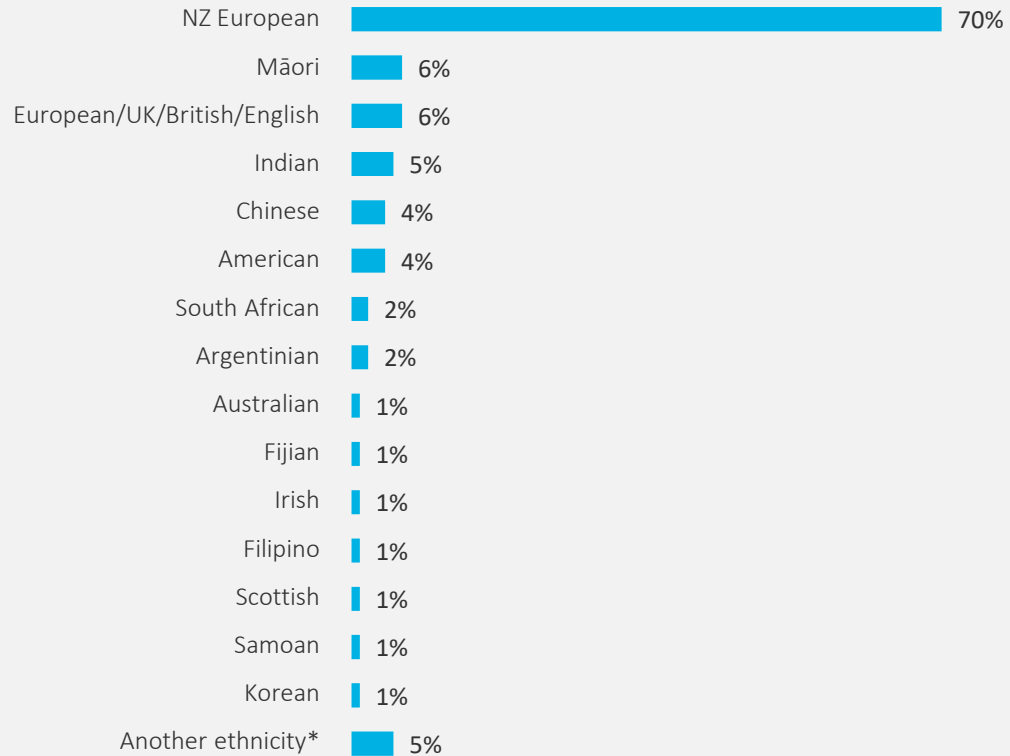
39% response rate. Data are weighted by industry and business size.

# Who we surveyed – employers of migrants



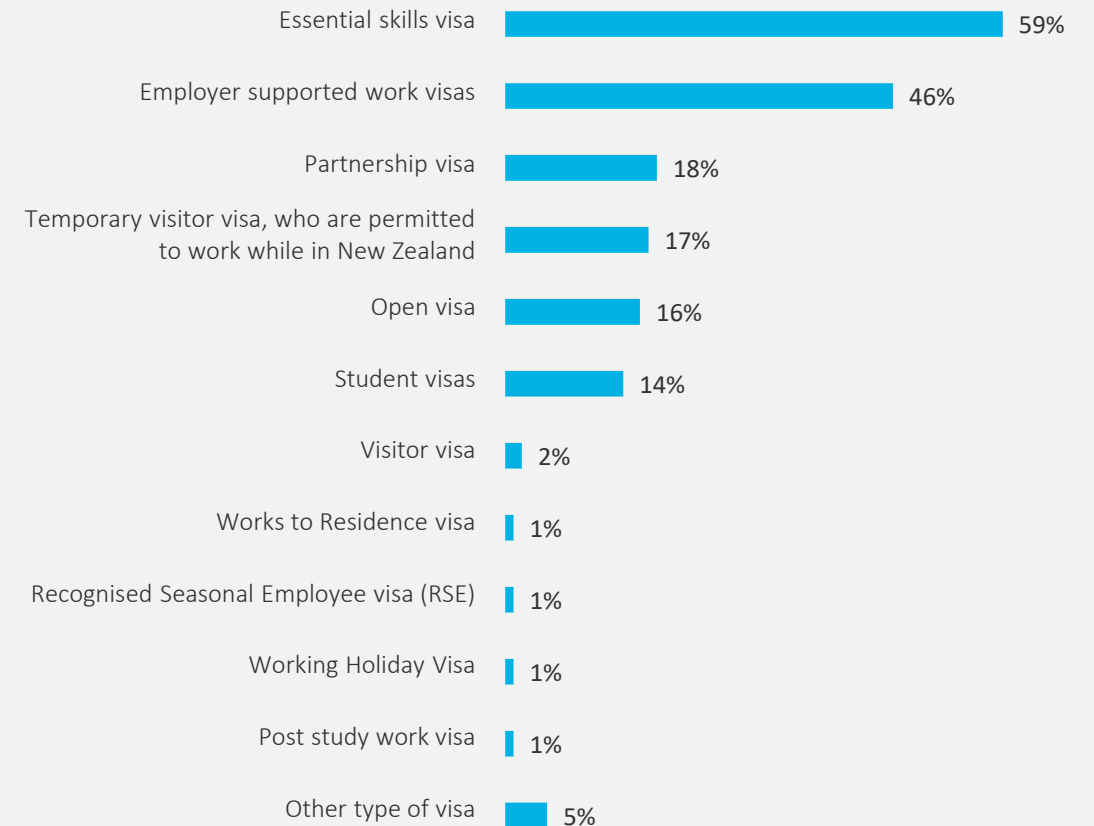
# Who we surveyed – employers of migrants

## ETHNICITY OF EMPLOYER



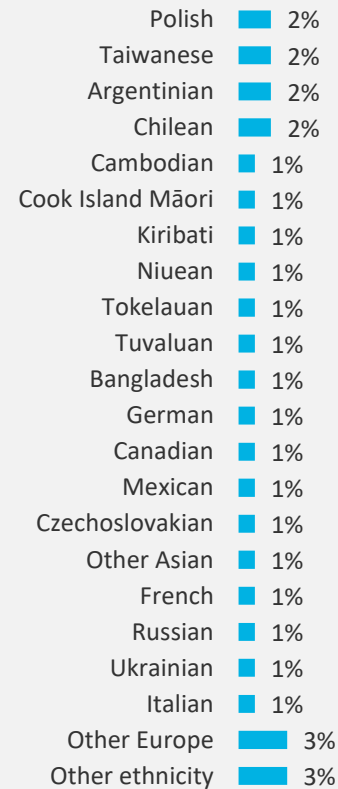
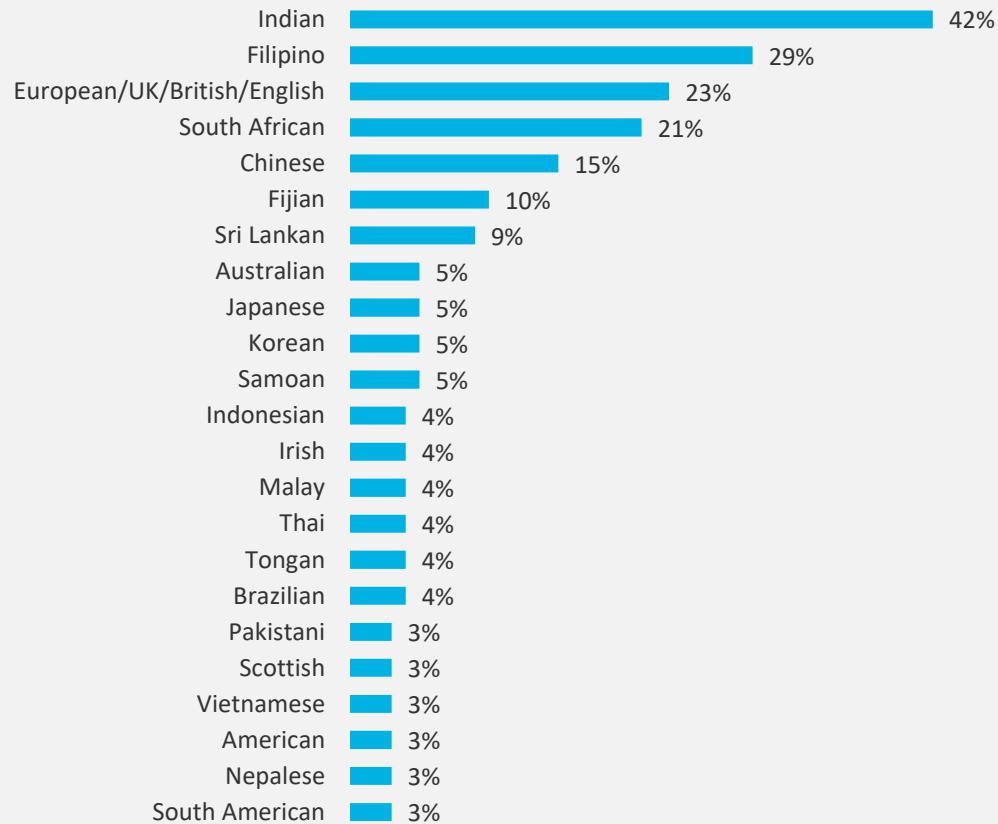
\*Includes less than 0.5% for each of the following ethnicities: Tongan, Malay, Cook Island Māori, Sri Lankan, Thai, Japanese, Tuvaluan, Taiwanese, Indonesian, Pakistani, Cambodian, Tokelauan, Vietnamese.

## VISA TYPES OF MIGRANT WORKERS IN BUSINESS

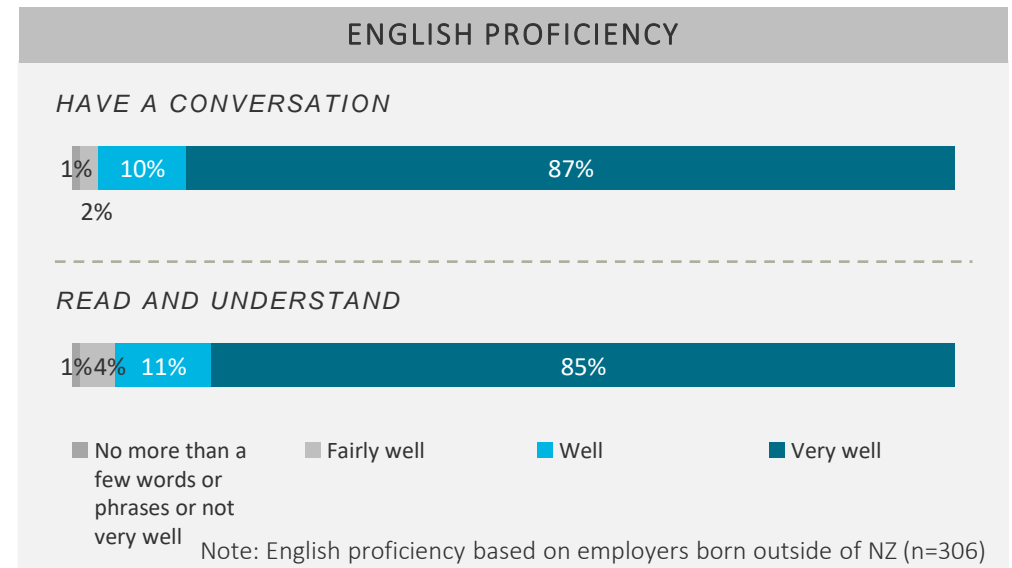
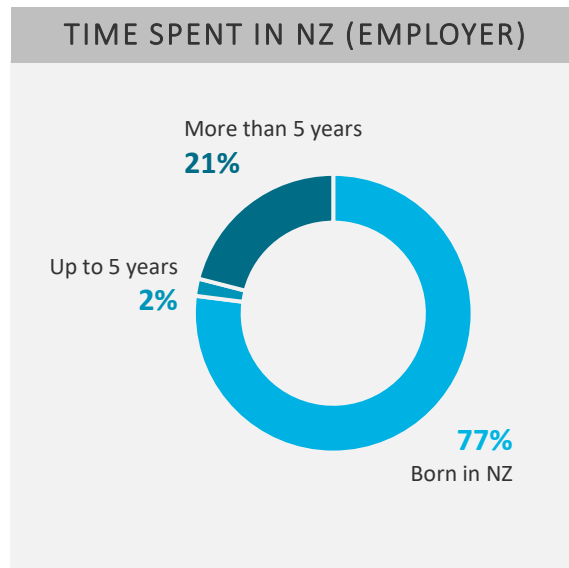
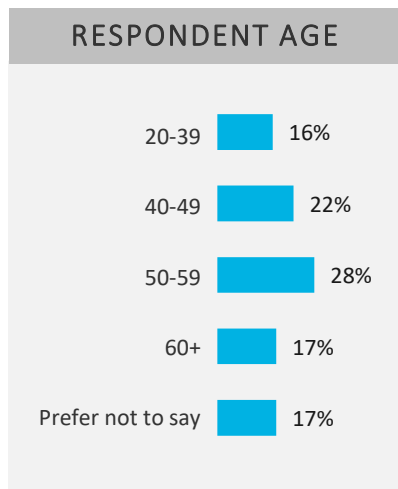
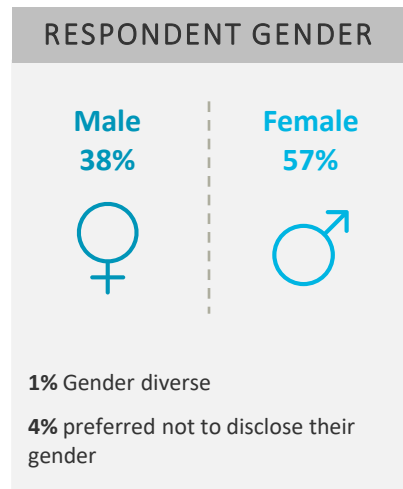
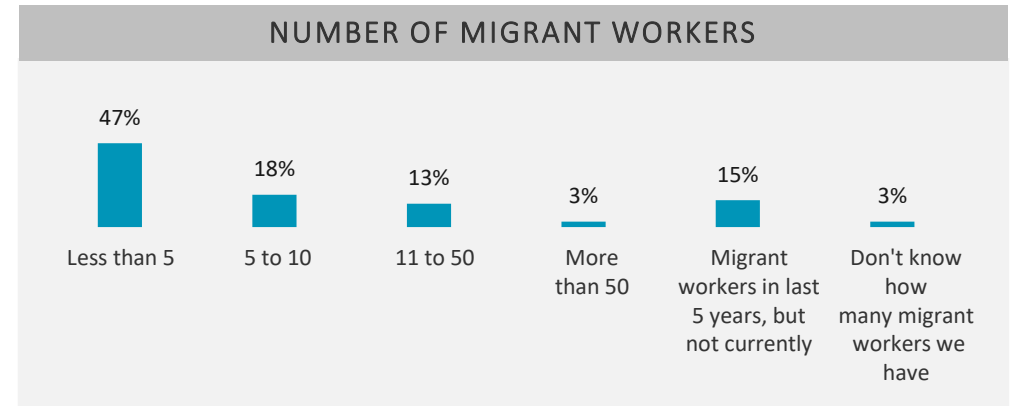
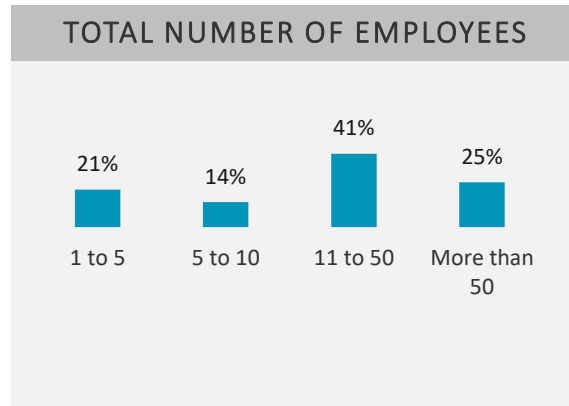
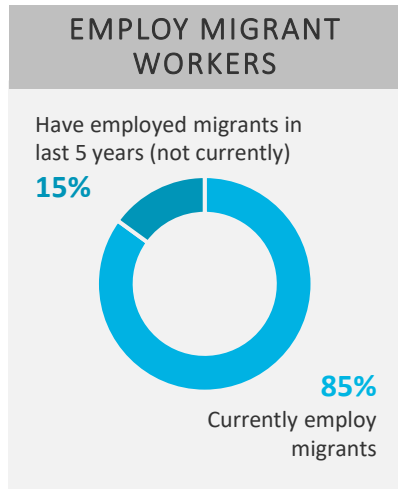
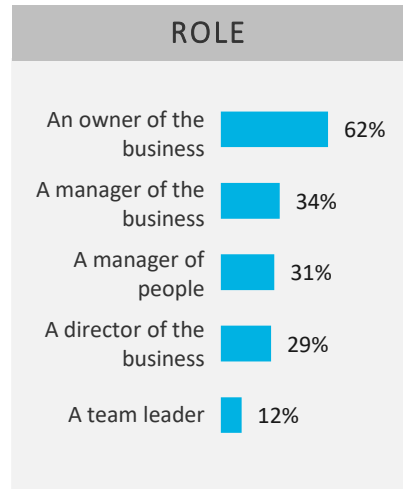


# Who we surveyed – employers of migrants

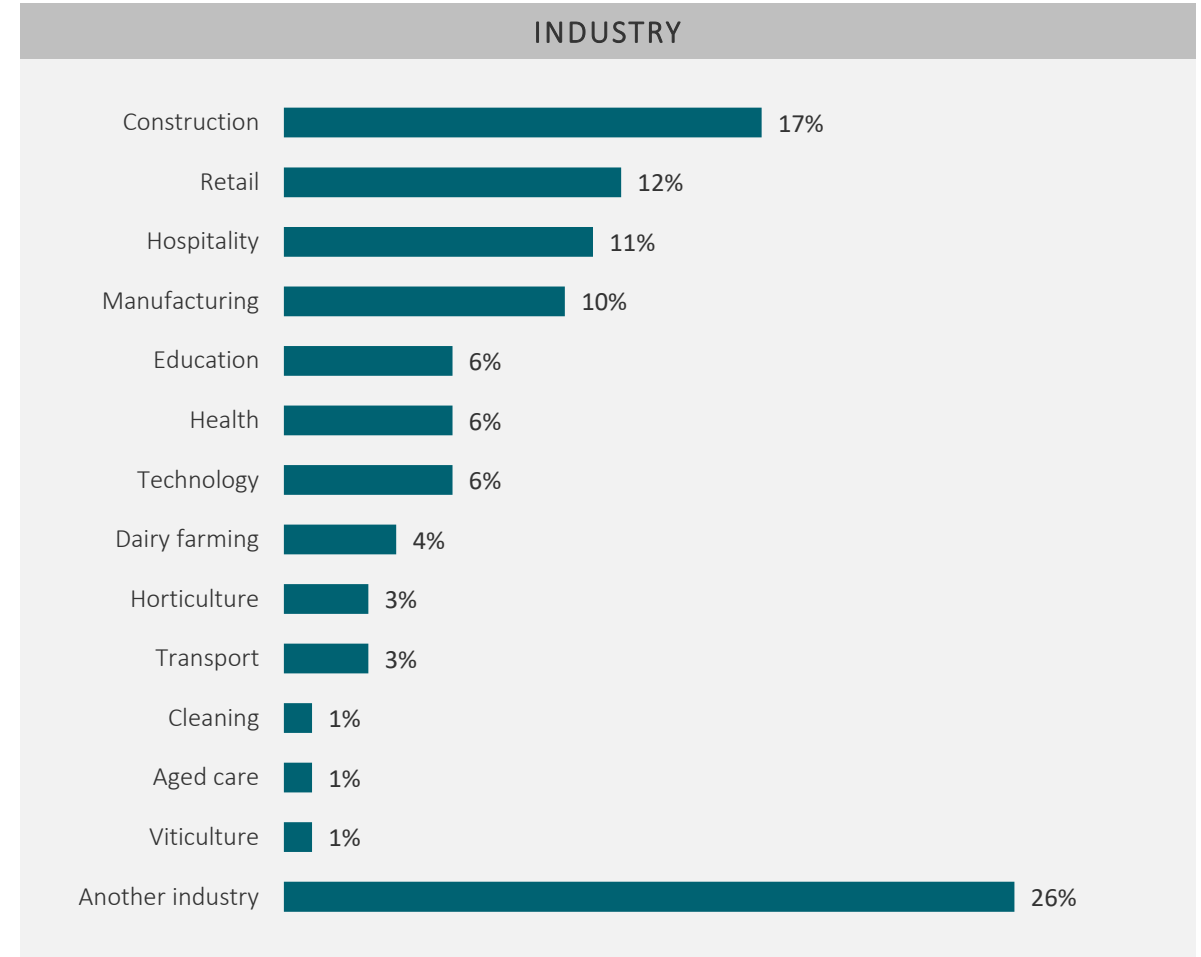
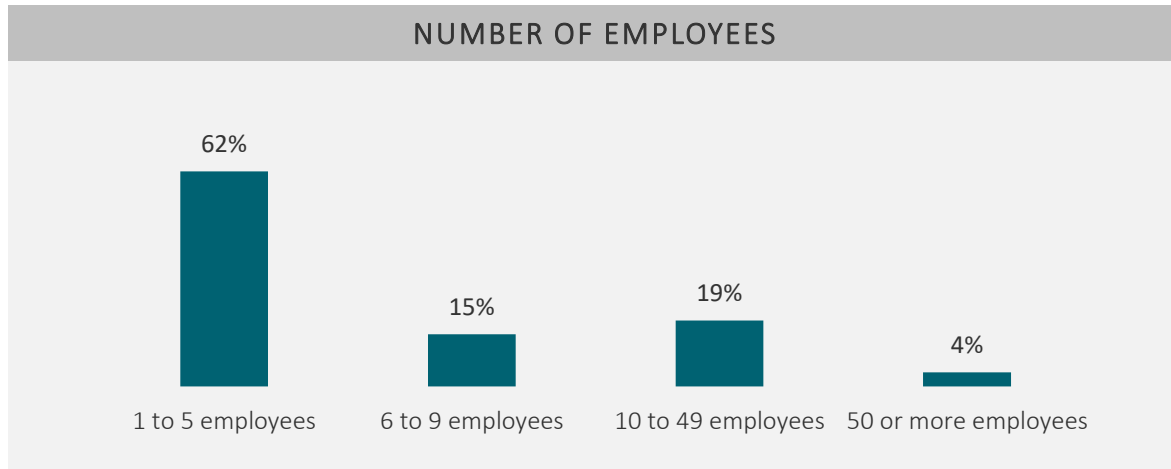
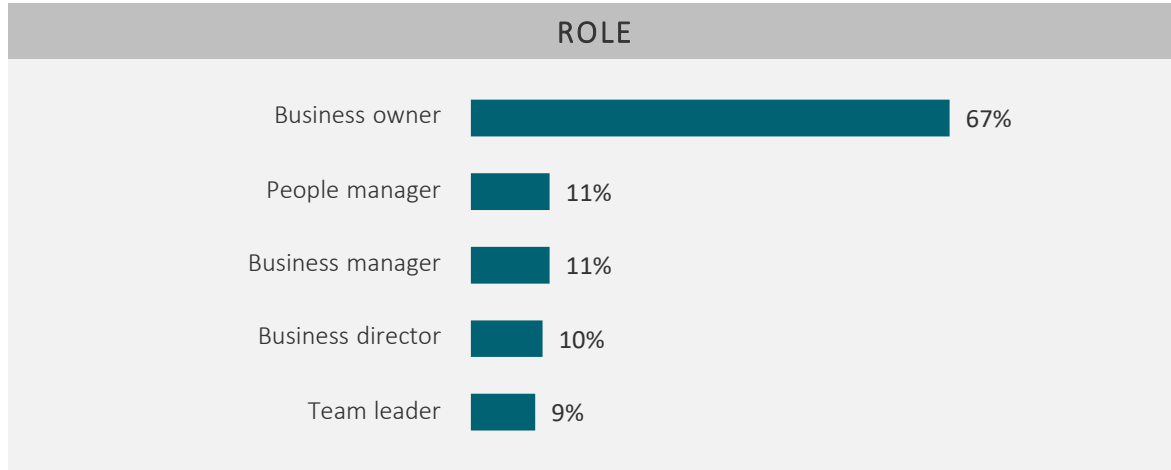
## ETHNICITIES OF MIGRANT WORKERS IN BUSINESS



# Who we surveyed – employers of migrants



# Who we surveyed – benchmark employers





# Summary



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## Workers summary: Understanding the landscape of temporary migrant worker exploitation

- 1 Driven by the dream of living a life in New Zealand, most migrants are satisfied and grateful for their employment. However, the gratitude of having a job may be causing migrant workers to downplay or accept employment issues, particularly when compared to the more entitled benchmark workers.
- 2 Nearly three in ten migrants have at least one of the workplace issues measured, with evidence of potential migrant overwork /underpayment, particularly within specific sectors. Many lack familial and community support.
- 3 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. Only about one in four are definitely committed to doing so.

- 4 Many only know their rights 'a little bit' or not at all. This is not uncommon for New Zealand workers overall. Government websites and personal contacts are a key resource.
- 5 Migrant workers desire a proactive, 'push' approach to education, with more information both before and during their visa application. Media use is fragmented across different social media platforms, mainstream and community channels.
- 6 Around a third of migrants 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.

## Employers summary: Understanding employers of temporary migrant workers

- 1 Most migrant employers surveyed seemed to have a good understanding of employment law.
- 2 Many employers currently search for information online, and use of the government websites is reasonably high. Most would prefer a dedicated website and a help line.
- 3 Reaching employers can be achieved through both mainstream media and community media. Many employers of migrants belong to some type of business/industry, religious, ethnic or community group, much more than the benchmark employers.
- 4 Most feel obliged to honour their employment obligations, though they do feel that keeping up with them is not necessarily easy. Overall they often believe that laws are more likely to favour workers.
- 5 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 was felt to be somewhat less effective.
- 6 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. Simplifying and reforming the visa system and process is also a strong underlying theme.
- 7 Over a third of migrant employers 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. These types of businesses tend to be smaller and from ethnic communities. Another group at risk are those conflicted as a result of business pressures making it hard to keep up with their obligations.

# Worker results



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# Setting the context – what are temporary migrant workers’ employment situations in New Zealand?

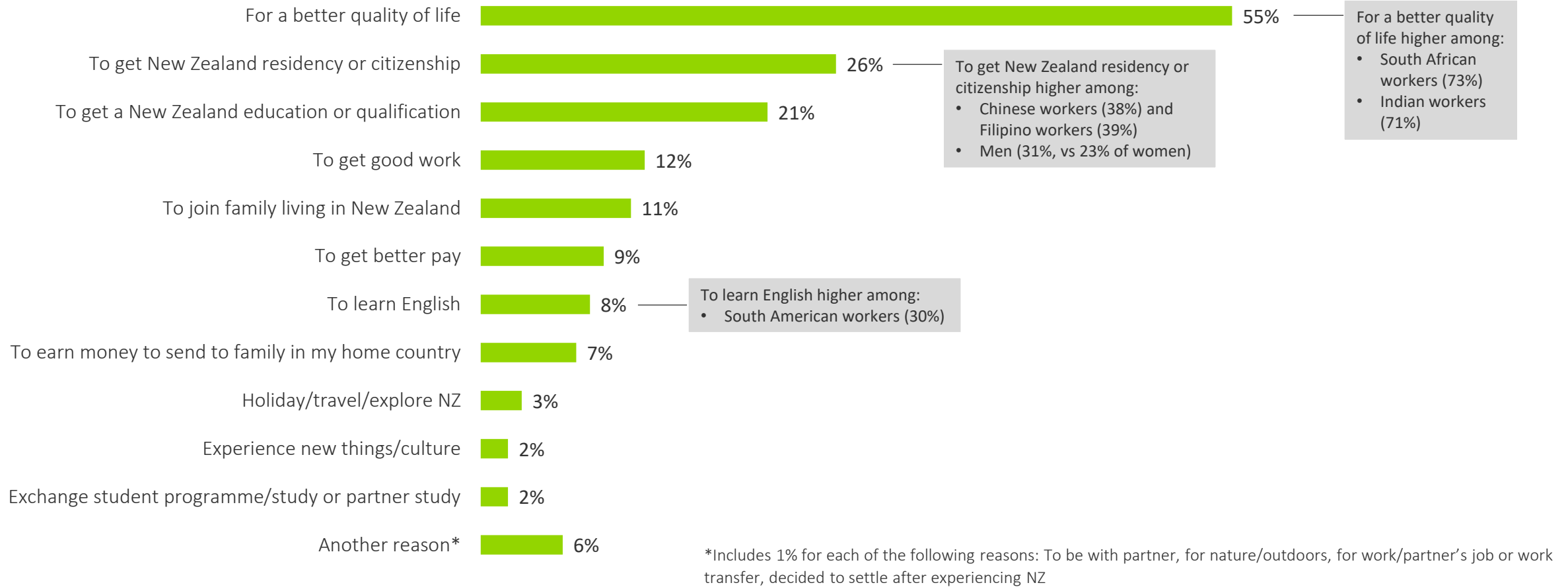
**Migrant workers are drawn to New Zealand by the dream of a better quality of life, with residence and citizenship being a goal for many.**

**A quarter of them find jobs via family and friends. They are working across a wide range of sectors, and are overrepresented in hospitality and construction.**

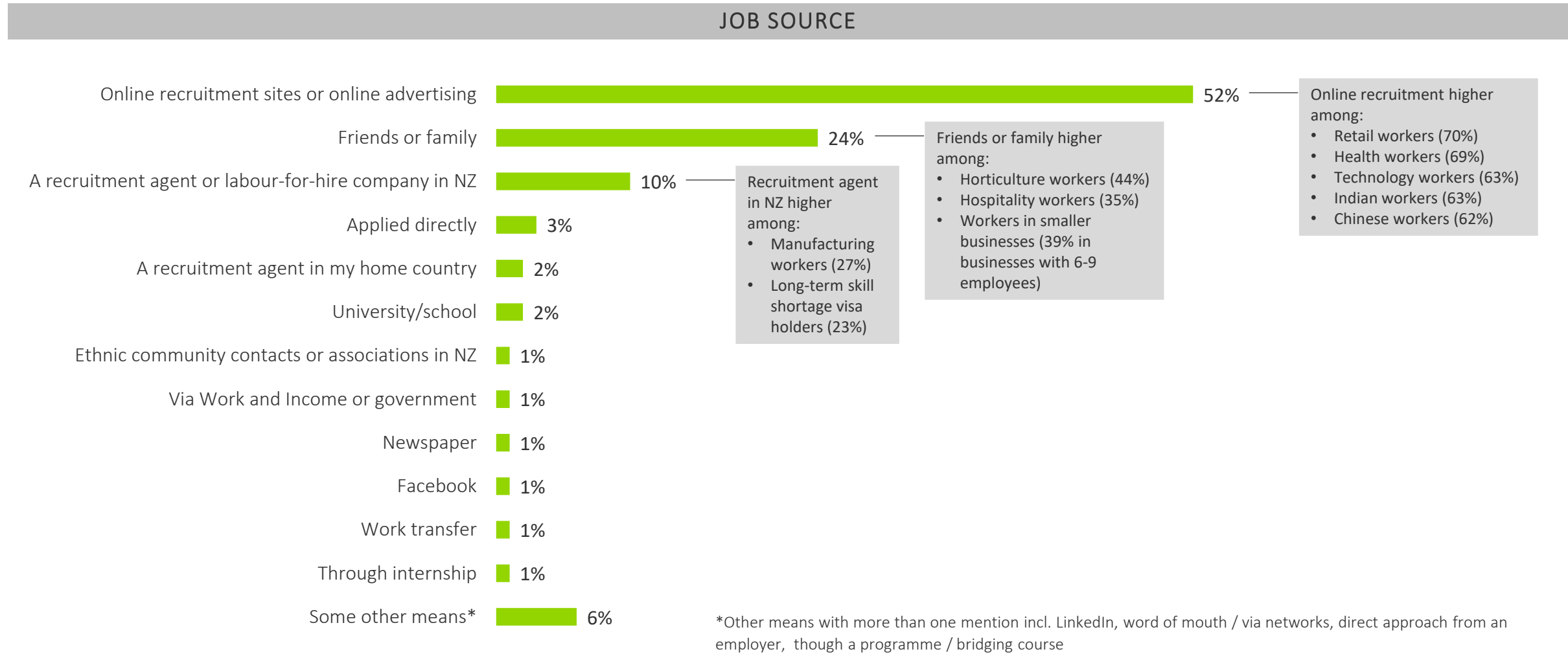
**Possibly because of their difficulties in securing a job, and driven by the dream of living a life in New Zealand, most migrants are satisfied and grateful for their employment.**

A better quality of life is the major drawcard for migrant workers to come to New Zealand, especially for South African and Indian workers. Securing a NZ educational qualification, and/or NZ residency/citizenship are also key reasons, with Chinese and Filipino workers especially driven by the latter.

### REASONS FOR COMING TO NEW ZEALAND

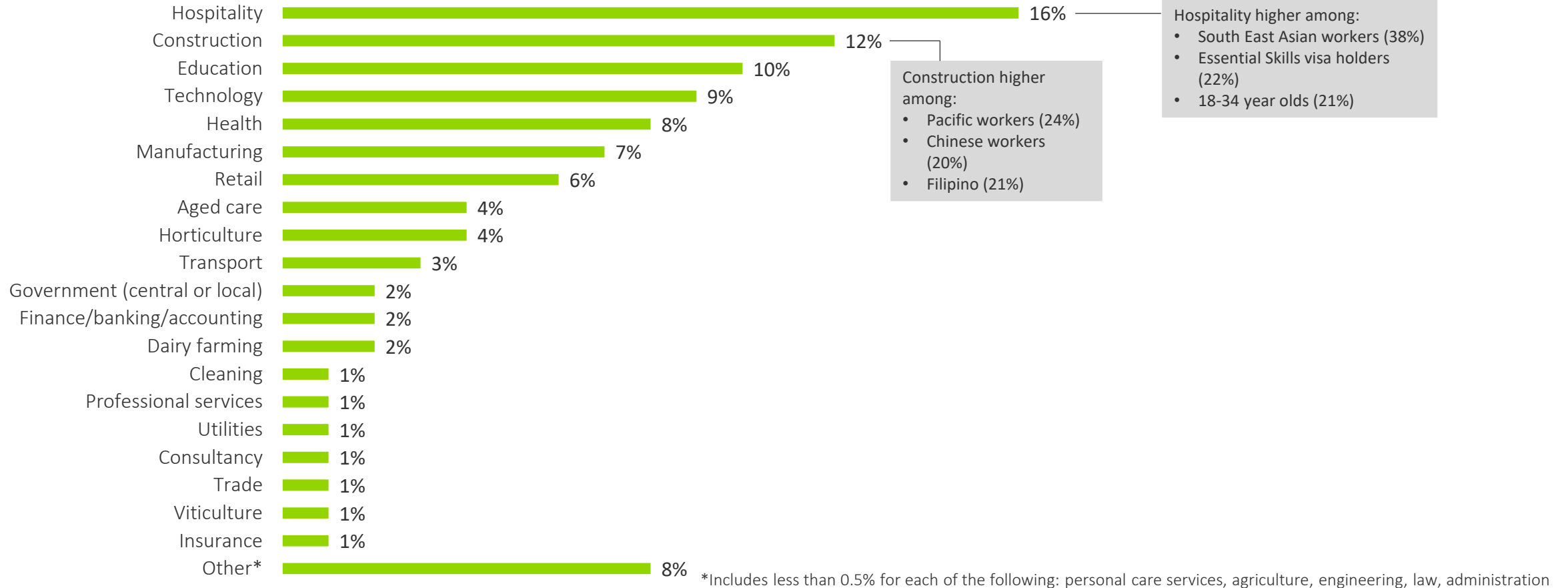


# Half of migrant workers find work in NZ via online recruitment sites or advertising, and a quarter rely on family or friends to source work (especially horticulture and hospitality workers).



Migrant workers find employment in a wide range of sectors in New Zealand. The migrant workers surveyed most commonly work in hospitality (especially South-East Asian workers) and construction (especially common for Pacific and Chinese workers).

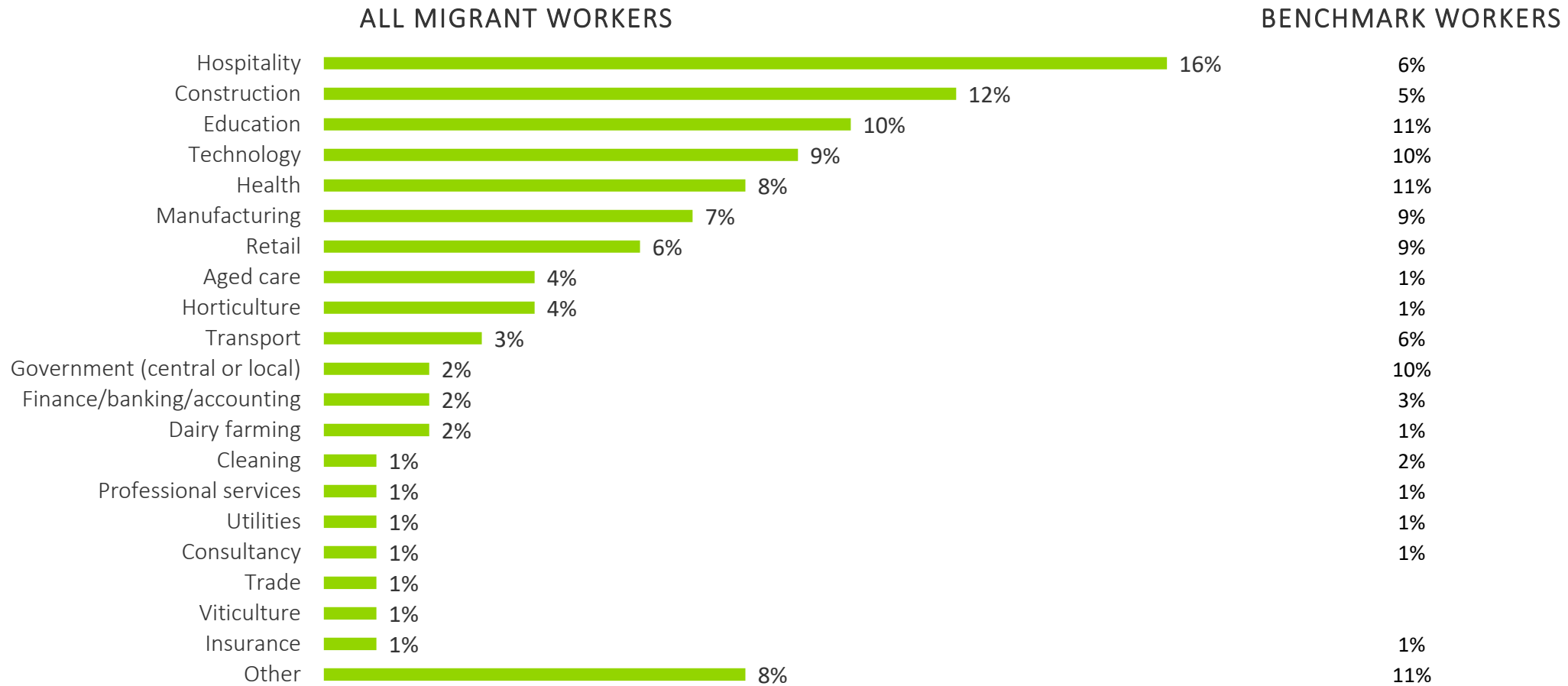
## INDUSTRY





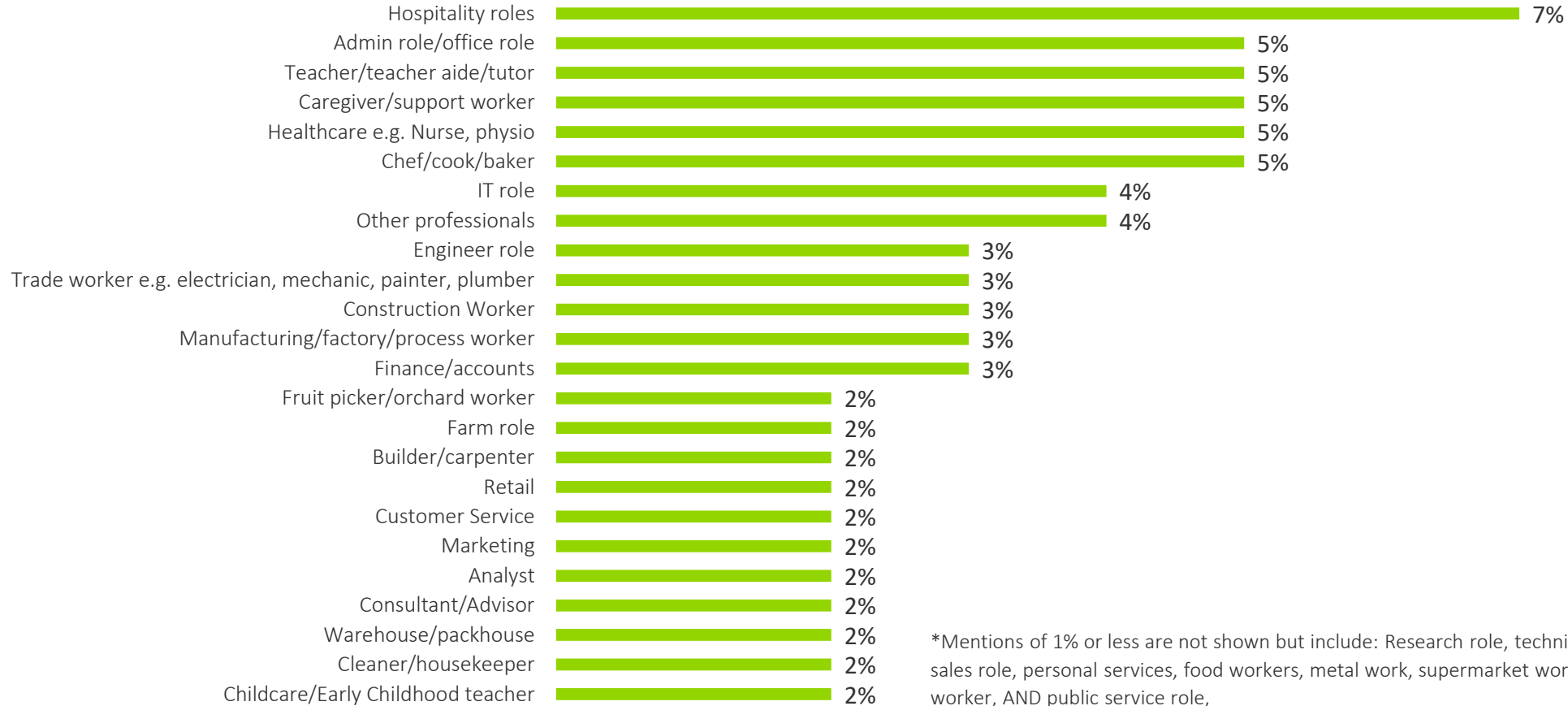
Compared to the benchmark survey, migrant workers are more likely to be working in hospitality, construction, aged care or horticulture, and are less likely to be working in health, retail, transport or government.

INDUSTRY: MIGRANT WORKERS VS BENCHMARK WORKERS



And migrant workers work in a range of occupations within those industries.

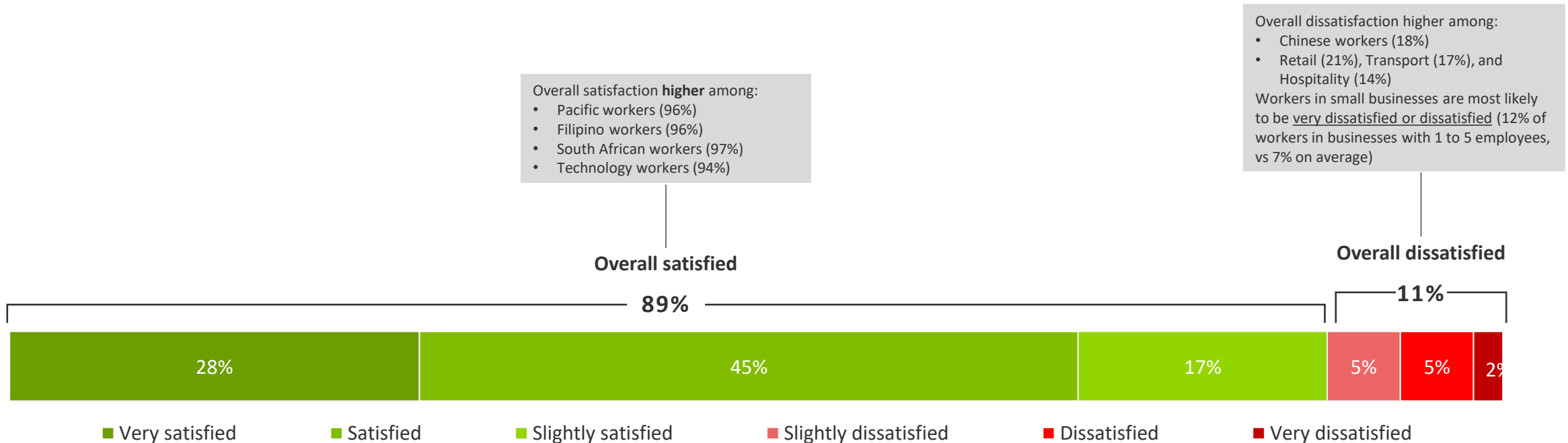
TOP OCCUPATIONS



\*Mentions of 1% or less are not shown but include: Research role, technician role, driving role, bartender, sales role, personal services, food workers, metal work, supermarket worker, project manager, forestry worker, AND public service role,

Migrant workers are generally satisfied with their employment situation, with seven in ten either very satisfied or satisfied. Around one in ten are dissatisfied. Dissatisfaction is strongest among workers in small businesses.

## SATISFACTION WITH EMPLOYMENT



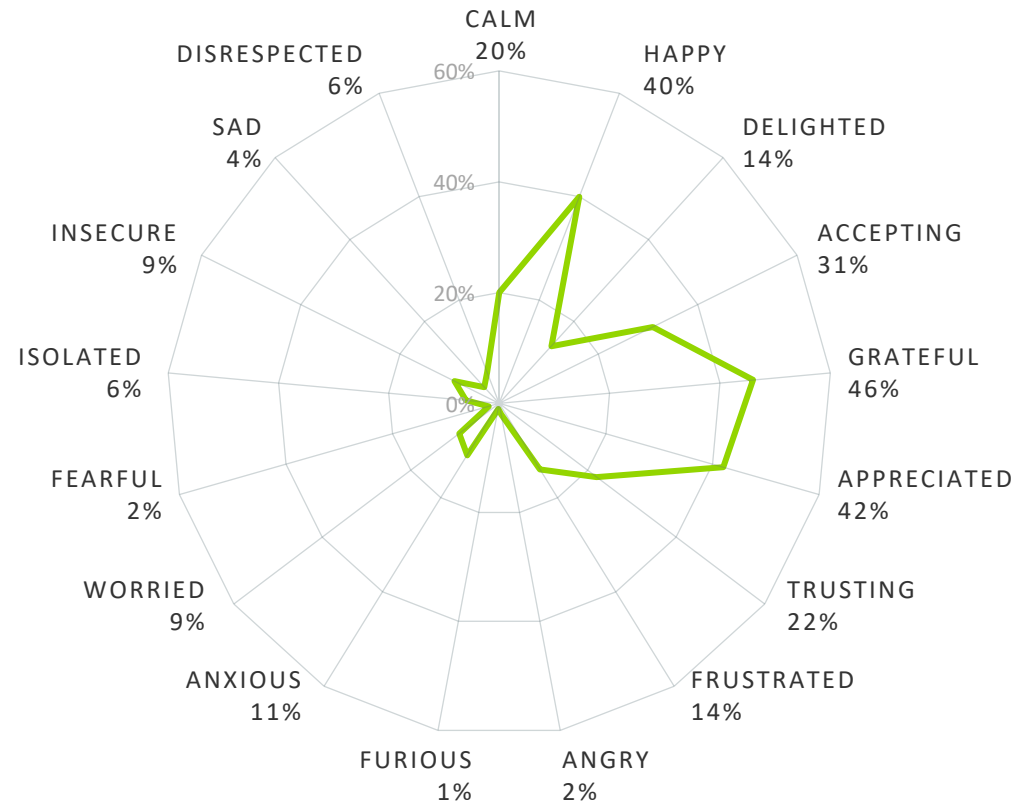
Most migrant workers feel positively about their employment, and in particular are both grateful and appreciative. However, one in three migrant workers relate to at least one negative emotion such as frustration, anxiety/worry, and insecurity. Hospitality workers, and workers without family support in NZ, are most likely to express negative emotions.

## EMOTIONS

OVERALL NEGATIVE EMOTIONS  
**35%**

Overall negative emotions higher among:

- Hospitality workers (48%)
- Workers who do not have close family or relatives living in NZ (41% vs 28% of those with family support)



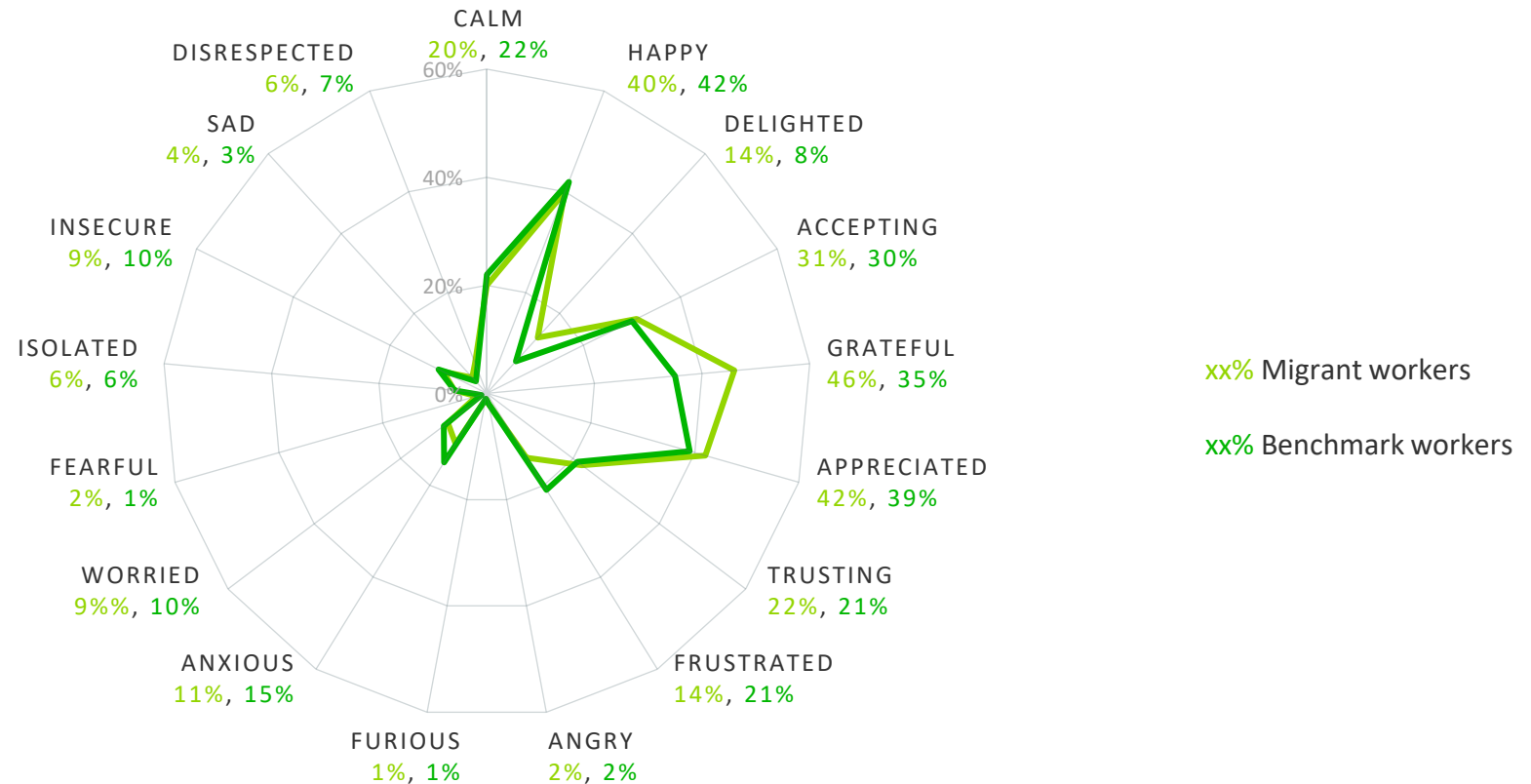
OVERALL POSITIVE EMOTIONS  
**88%**

Overall positive emotions higher among:

- Pacific workers (95%)

Benchmark workers are less likely to feel grateful for their employment, perhaps due to a greater sense of entitlement to their job. Conversely, they are more likely to feel frustrated compared to migrant workers.

EMOTIONS – COMPARISON TO BENCHMARK

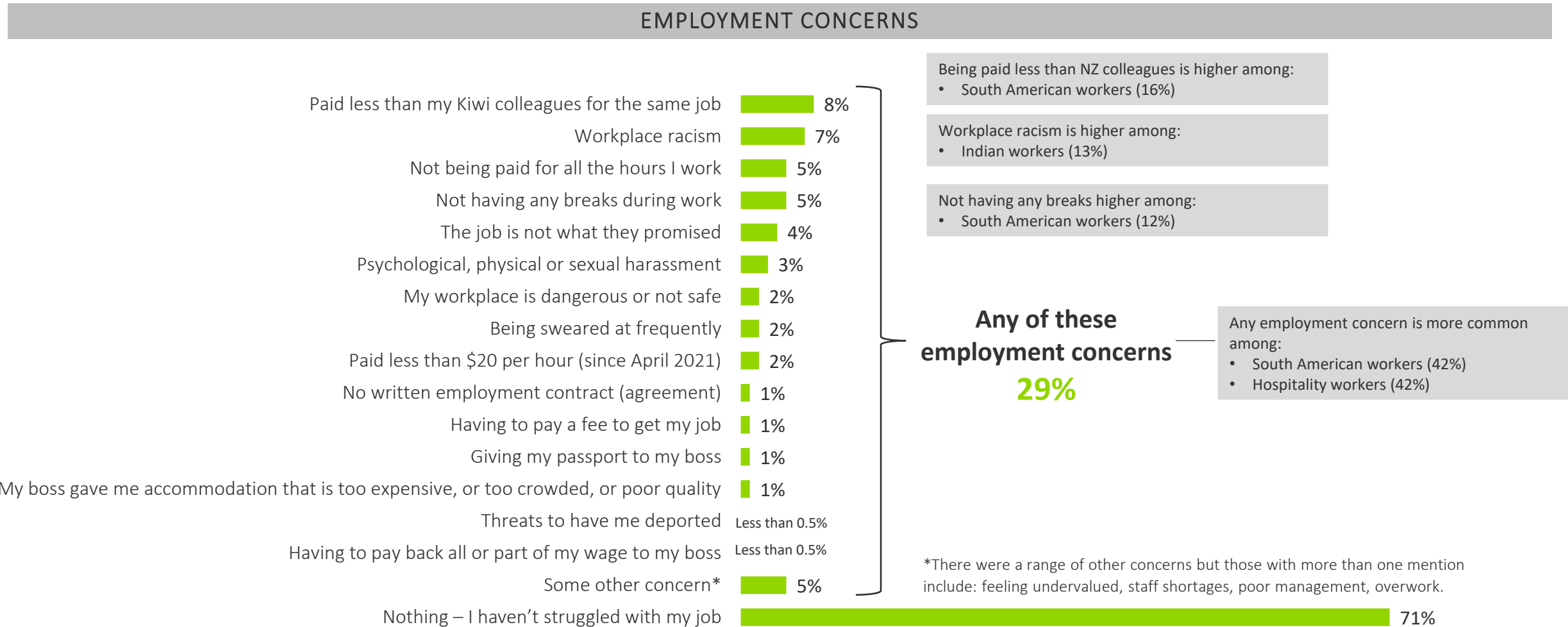


# What evidence is there of potential exploitation?

Nearly three in ten migrant workers relate to at least one of the workplace issues they were presented with in the survey. Equal pay and racism were the most common concerns. However, the gratitude of having a job may cause migrant workers to downplay or accept employment issues, particularly when compared to the more entitled benchmark workers.

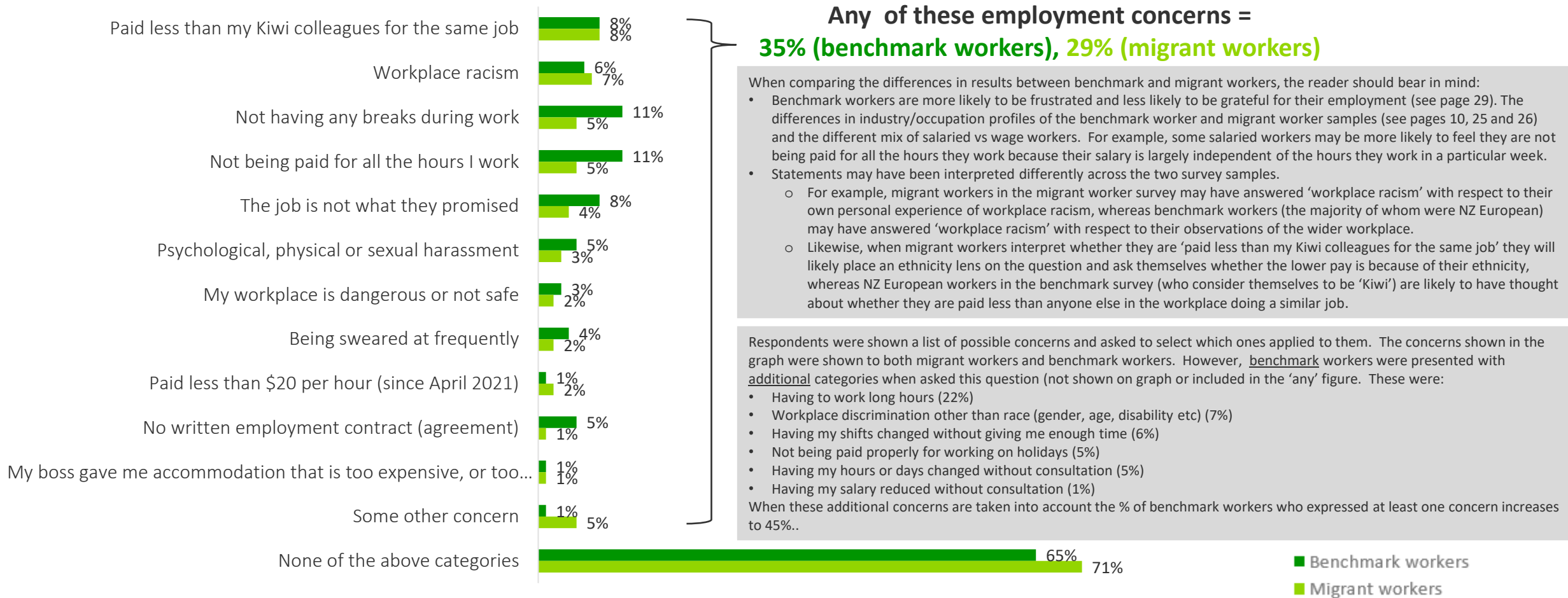
There is some evidence of potential migrant overwork / underpayment, particularly within specific sectors (retail, hospitality).

Nearly three in ten (29%) migrant workers related to at least one of the concerns we presented to them. Pay equity with Kiwi colleagues (8%) and workplace racism (7%) were most common.



Workers in the benchmark survey were more likely than migrant workers to report a number of the situations we presented to them. In interpreting this data, the reader should bear in mind 1) the different industry and occupation profiles of the two groups of workers and 2) possible differences in the interpretation of statements. See explanation below.

## EMPLOYMENT CONCERNS – COMPARISON WITH BENCHMARK WORKERS





Around one in 30 migrant workers (3%\*) surveyed do not have a written employment contract. This is much more common among Chinese workers with Chinese employers (15%), workers in smaller businesses (8%), and workers with a student and work visa (7%).

## WRITTEN EMPLOYMENT CONTRACTS

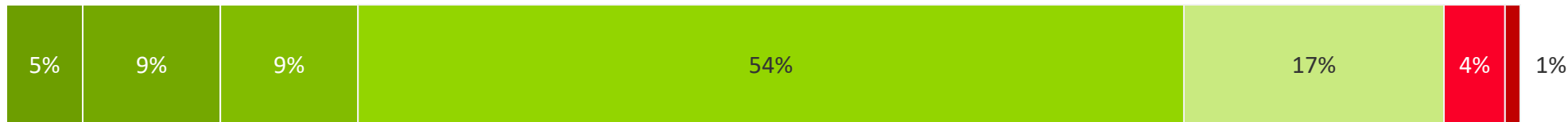


On average, migrant workers work 37 hours per week. Just one percent of the migrant workers surveyed work in excess of 60 hours per week.

### HOURS WORKED EACH WEEK

Average number of hours worked higher among:

- Working holiday visa holders (42 hours)
- Long term skill shortage holders (42 hours)
- Construction workers (42 hours)
- Manufacturing workers (42 hours)



AVERAGE HOURS  
WORKED PER WEEK

**37 hours**

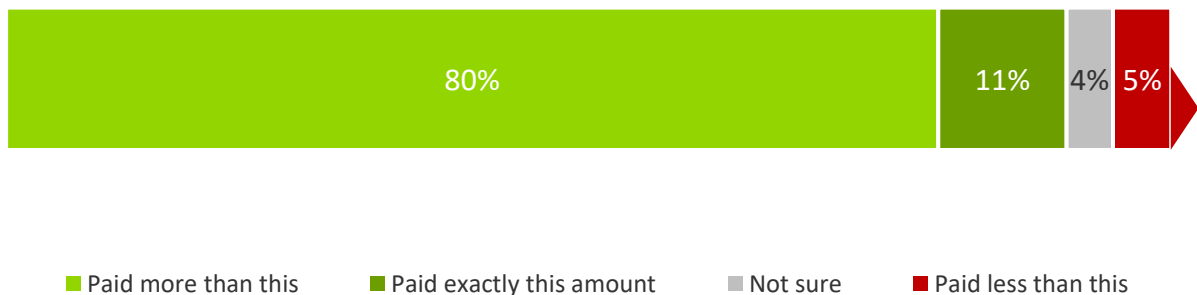
■ Up to 10 hours   ■ 11 to 20 hours   ■ 21 to 30 hours   ■ 31 to 40 hours   ■ 41 to 50 hours   ■ 51 to 60 hours   ■ More than 60 hours

One in 20 migrant workers report being paid less than \$20 per hour or \$800 per week. This incidence more than doubles among workers in retail and hospitality, and workers with Chinese employers. Note, however, that many of the reasons relate to the worker not working full time and so they may be paid more than \$20 per hour but receiving less than \$800 per week. Two percent of migrant workers who work 40 hours or more are paid less than the minimum wage.

### ARE WORKERS BEING PAID AT LEAST THE ADULT MINIMUM WAGE?

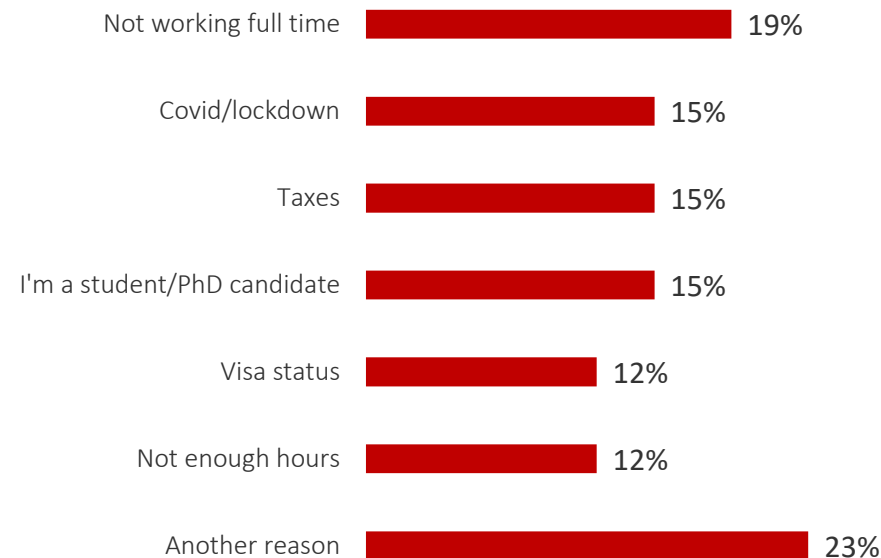
Being paid less than the stated amount is more common among:

- Retail workers (13%)
- Hospitality workers (12%)
- Workers with Chinese employers (12%)



Additional analysis shows that 2% of migrant workers who work 40 hours or more a week report being paid less than the minimum wage. This is highest among Chinese (4%), Indian (4%), Pacific (5%) and South East Asian (6%) full time workers.

### REASONS FOR BEING PAID LESS THAN THE ADULT MINIMUM WAGE



Caution low base. Results are indicative only

Base: Migrant workers being paid less than \$20 per hour or \$800 per week (n=26)

Source: Migrant worker survey

Q17. If you would like to, please tell us in your own words why you think you (were/are) paid less than the minimum wage. Remember everything is confidential.

# What makes migrants vulnerable to exploitation?

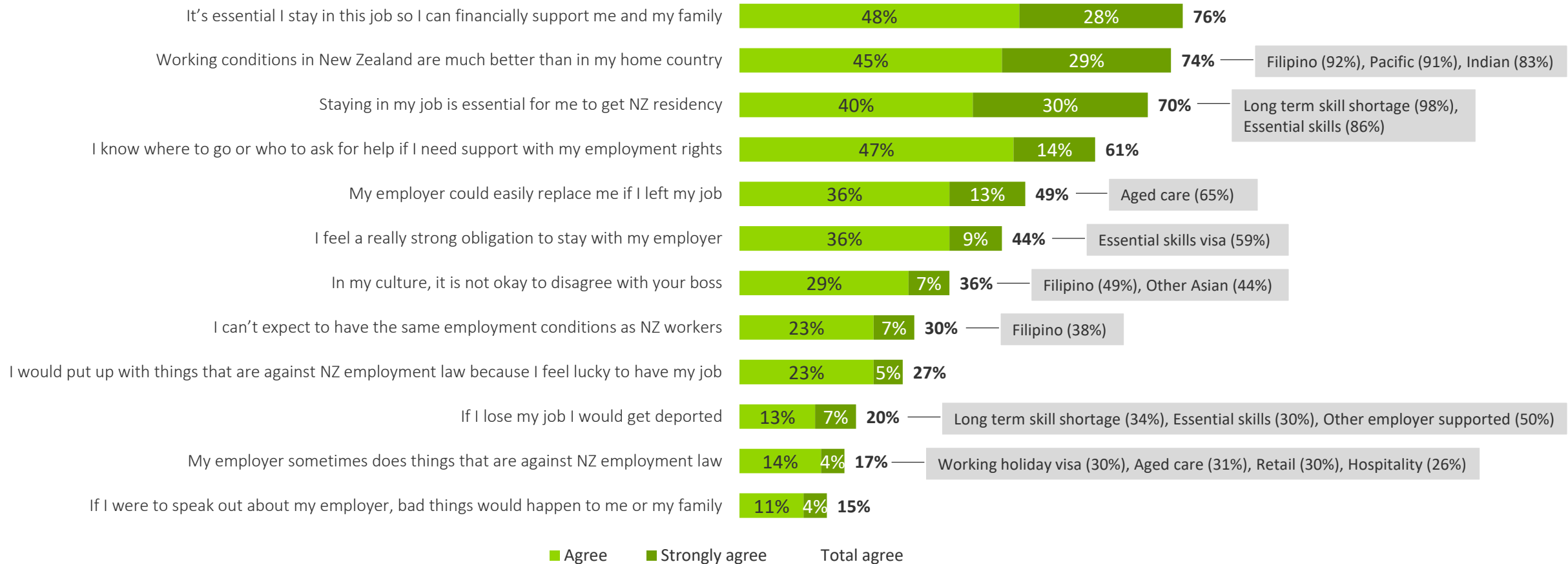
**For many migrants, having a job is essential. Their ability to support their family (both in New Zealand and back home) and their ability to stay in New Zealand depend on it. For this, they may be willing to endure poor conditions and put up with things against the law.**

*“If you disobey, the boss will stop giving you work to do, which means you won’t get paid. But food and board still cost money. For us (on a temporary work visa), this is the worst because it means our time is wasted.”*

- Chinese worker (qualitative interview)

Most migrant workers need their jobs for financial or visa reasons, and believe working conditions are much better in New Zealand compared to their home country. One in five believe they would get deported if they lost their job, while more than a quarter would put up with things that are against employment law.

### ATTITUDINAL MARKERS OF VULNERABILITY TO EXPLOITATION



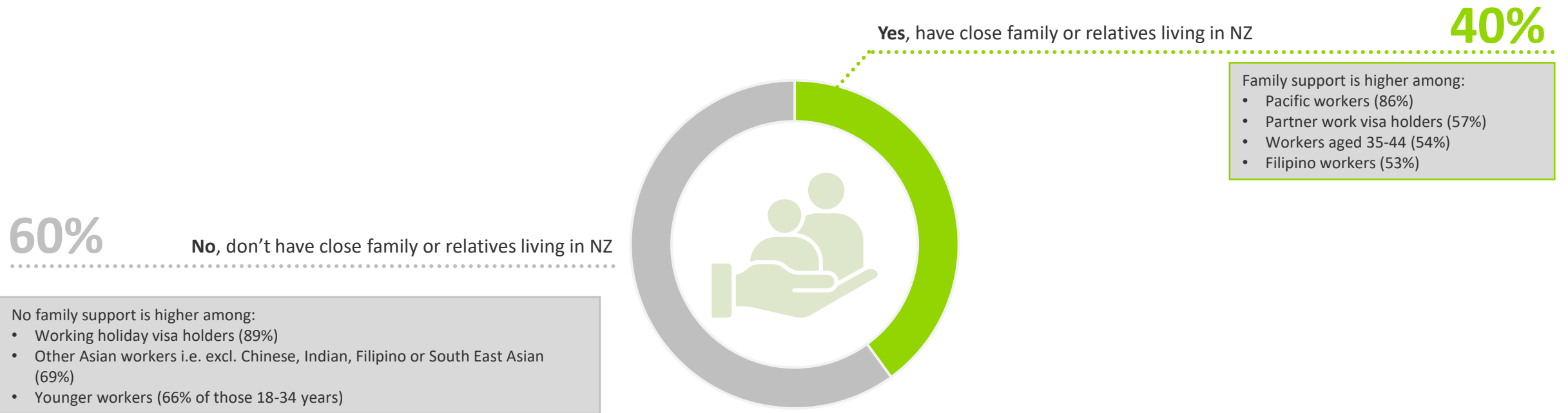
# How well supported are migrant workers?

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

**Contrary to what might be expected, only 40% of migrant workers have close family or friends in New Zealand. Just one in five are members of a community group (usually a social media group). The vast majority do not belong to a union.**

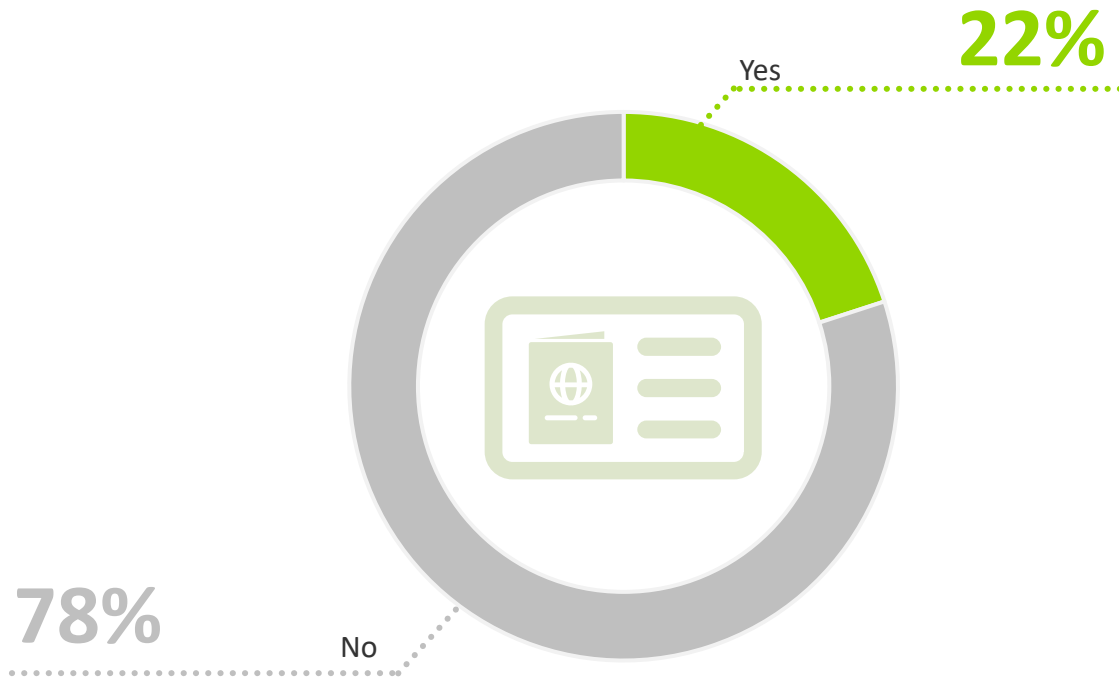
Less than half (40%) of migrant workers have close family or relatives living in New Zealand.

## FAMILY SUPPORT IN NEW ZEALAND

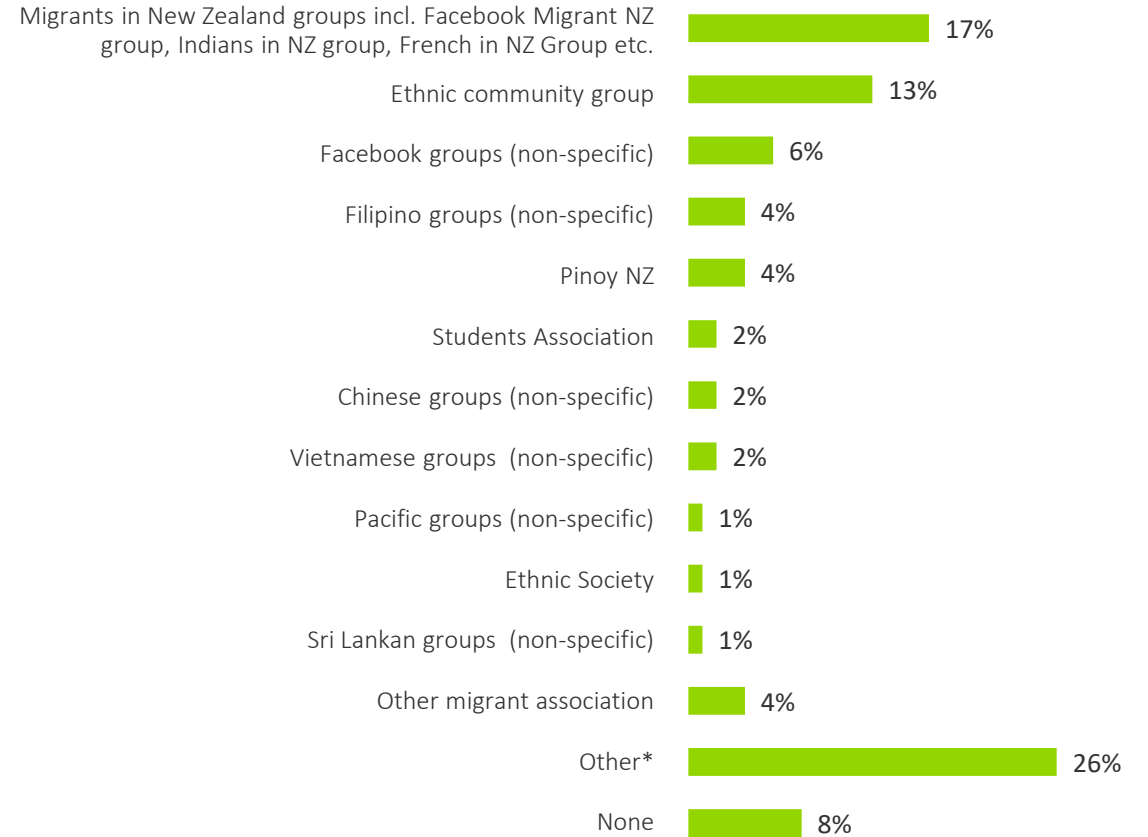


Around one in five migrant workers belong to an ethnic association or migrant community group. The range of groups and associations is large, but the most common are various Facebook groups for migrants in NZ.

## ETHNIC / MIGRANT GROUP MEMBERSHIP



Base: Migrant workers (n=964)  
 Source: Migrant worker survey  
 Q28i. Do you belong to an ethnic association or migrant community group in New Zealand?



\*Other includes a disparate range of responses, with little in common.



Union membership among migrant workers is low at 10%.

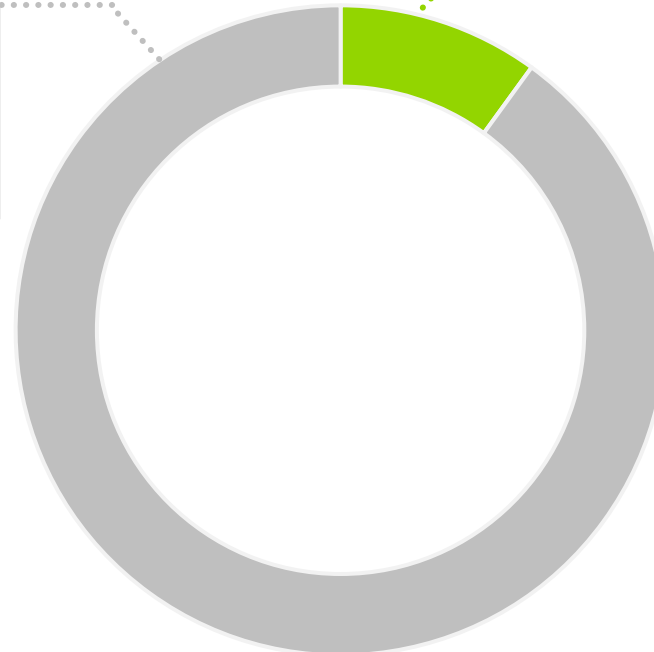
## UNION MEMBERSHIP

90%

Do not belong to a union

Groups more likely not to belong to a union:

- Chinese workers (97%)
- Working holiday visa holders (97%)
- Workers in small workplaces (96% of workers in workplaces with 1 to 5 employees)
- Hospitality workers (96%)



Belong to a union

10%

Groups more likely to belong to a union:

- Health workers (36%)
- Filipino workers (19%)
- Education workers (18%)
- Aged 45+ (17%)
- Workers who belong to an ethnic association or migrant community group (16%)
- Larger employers (15% of workers in workplaces with 50+ employees)

How much trust do  
migrant workers have  
in organisations?

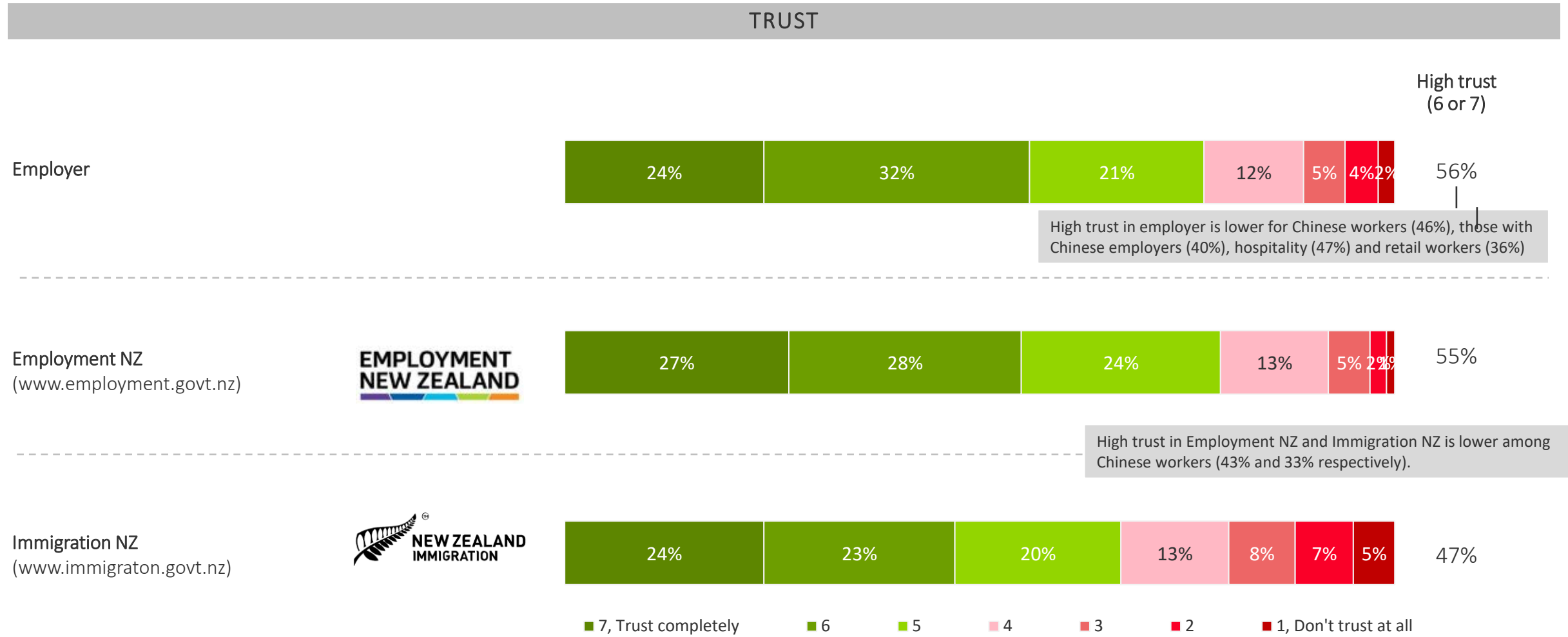
Migrants' trust in organisations (their employer,  
Employment NZ and Immigration NZ) is mixed.

**KANTAR PUBLIC**



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

# Migrant workers' trust in Immigration NZ and Employment NZ is polarised, with only around half having a high level of trust in the organisations.



Migrant workers are somewhat polarised in their views of how well NZ government agencies support migrant workers in NZ; just over half (58%) hold a positive view, while over a quarter (26%) take a negative view. Strongly negative perceptions are especially strong among health workers and union members.

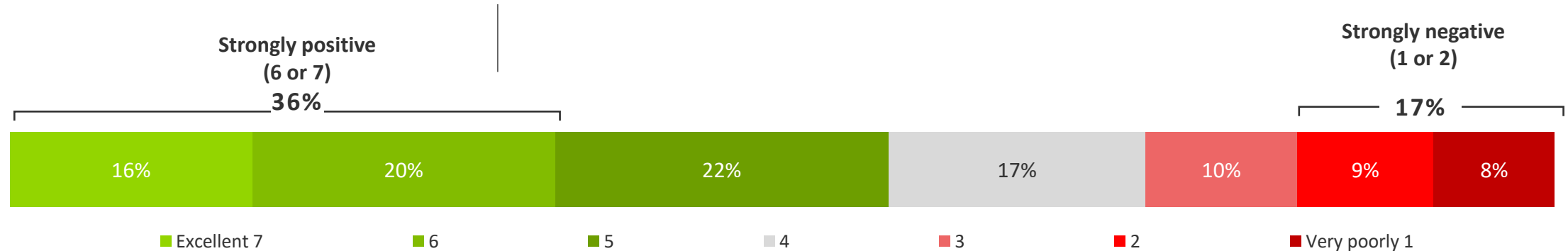
RATING OF NZ GOVERNMENT AGENCIES (AMONG WORKERS WHO KNOW ENOUGH ABOUT THEM)

Strongly positive perceptions are higher among:

- Pacific workers (67%)
- Filipino workers (60%)
- Construction workers (54%)
- Aged care workers (53%)
- Have close family or relatives in NZ (45% vs 29% of those who do not)
- Aged 35-44 (43%)
- Workers with NZ European employers (41%)

Strongly negative perceptions are more common among:

- Health workers (30%)
- Union members (26%, vs 15% who do not belong to a union)



# Will migrant workers speak up and what would encourage them?

For migrant workers, speaking up about their employment rights is not easy. Although they might want to do it, and feel that it is important, the fear and difficulty of doing so may hold them back. Only about one in four are definitely committed to doing so.

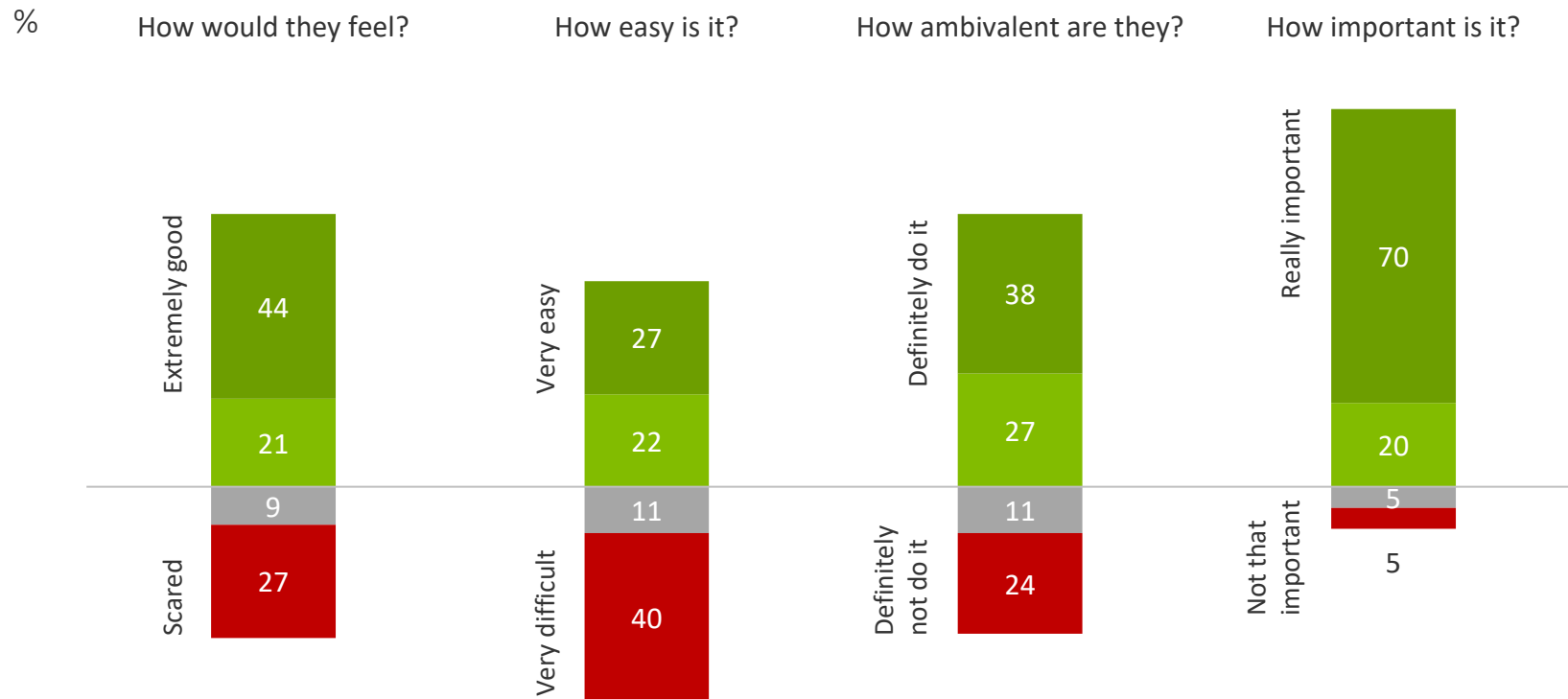
Knowing that their actions will help other migrant workers, and that they will have support during the process (particularly in finding another job), will encourage them to speak up.

*“Where do I go to make a complaint? Would it work? Will my boss find out about it? What are the consequences for me? What do I do if I lose the job? Go back to China? My family is here, I’d have to start all over again if I went back.”*

Chinese worker, qualitative interview

Only a little over a quarter of migrant workers would be strongly committed to speaking up about not receiving their employment rights. While they concur that it is an important issue, many express a degree of fear and would find it very difficult to do.

COMMITMENT TO SPEAKING UP IN A SITUATION WHERE AN EMPLOYER IS NOT GIVING YOU ALL YOUR EMPLOYMENT RIGHTS UNDER THE NEW ZEALAND EMPLOYMENT LAW



When we consider all four determinants of commitment and how they interact, we find that:

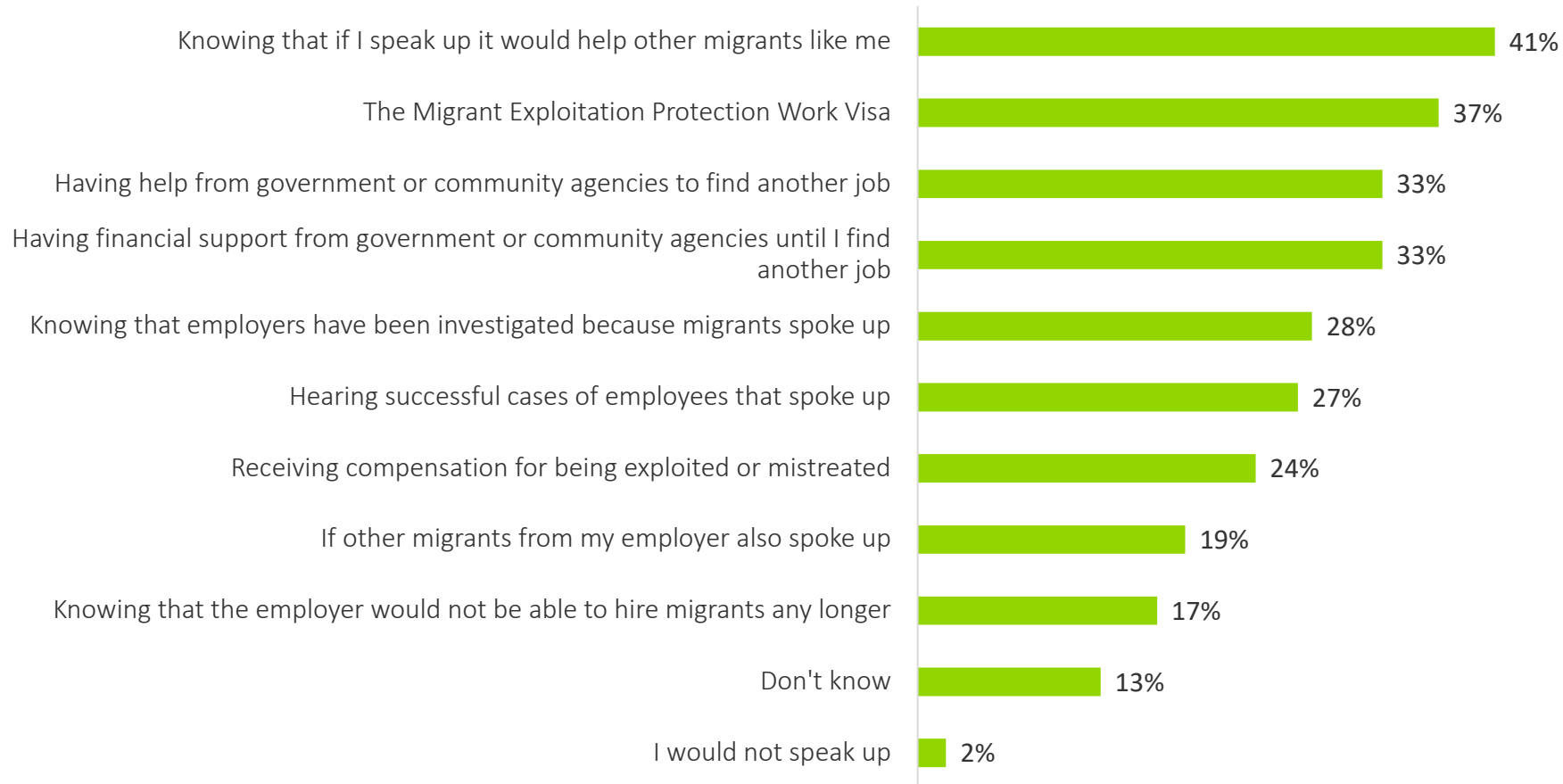
**27%** are **strongly committed**

**73%** have **weak commitment** or are **uncommitted**

Note on 'commitment'. The more committed someone is to doing a behaviour, the more likely they will actually do it. We measured the four elements that determine someone's level of commitment: how important it is to the person, how it makes them feel, how ambivalent they are about it, and how easy it is to do. The figures of 27% and 73% are produced from these measures using an algorithm developed by Kantar Public in collaboration with academics. It has been used to predict commitment intensity across a wide range of behaviours relevant to the public sector.

Protection from possible consequences from the employer is key to encouraging migrant workers to speak up, whether that be in the form of the Migrant Exploitation Protection Work Visa, or support from the government to cover finances and secure other employment. A sense that the worker is helping other migrants out by speaking up is also a motivating factor.

## ENCOURAGING MIGRANT WORKERS TO SPEAK UP AGAINST EXPLOITATION



The pattern of responses is similar between those we identified as having strong vs weak commitment to speaking up. The main differences are that knowing they would be helping others is a stronger motivator for those with strong commitment (47% vs 29% of those with weak commitment). Likewise, the MEPW visa is a slightly stronger motivator for those with strong commitment (42%, vs 35% of those with weak commitment).

# How much do workers know about their employment rights in New Zealand?

Of course, speaking up is also dependent on workers knowing their rights in the first place. Many only know their rights 'a little bit' or not at all. This is not uncommon for New Zealand workers overall.

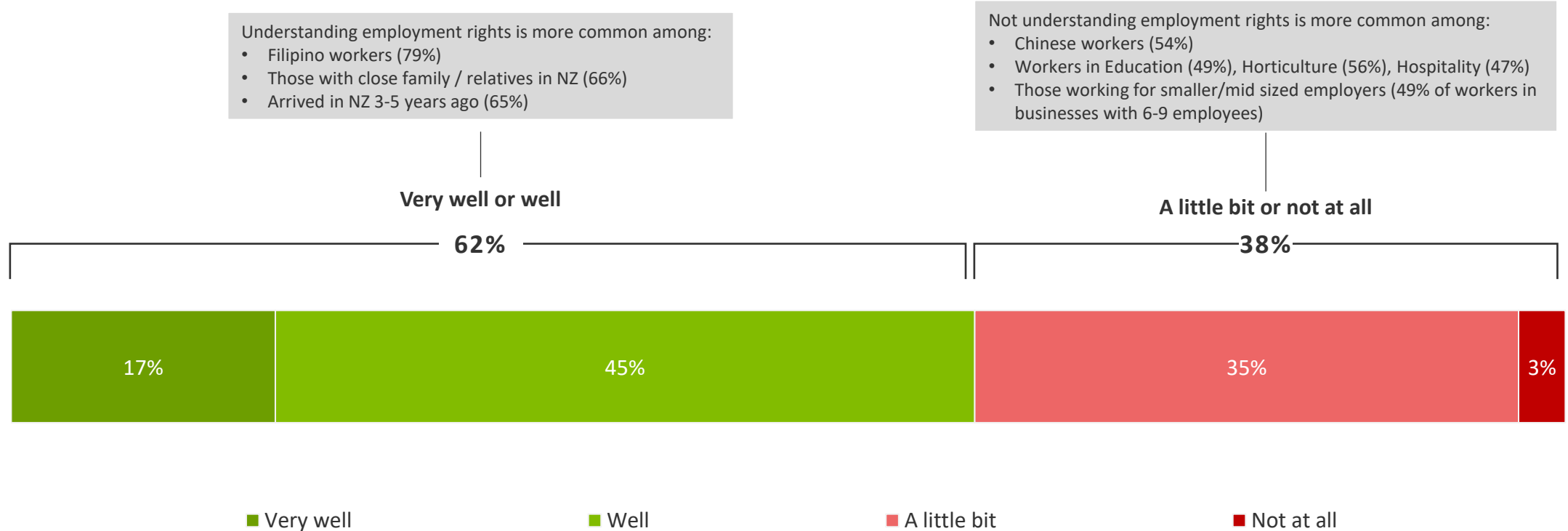
Some areas of the law, particularly around contractors, trials and safety gear are not just unknown, they are misunderstood. A substantial minority are not aware of the minimum wage.

Awareness of the MPEWV still has room to grow, though there are indications that it has stronger awareness amongst some communities.



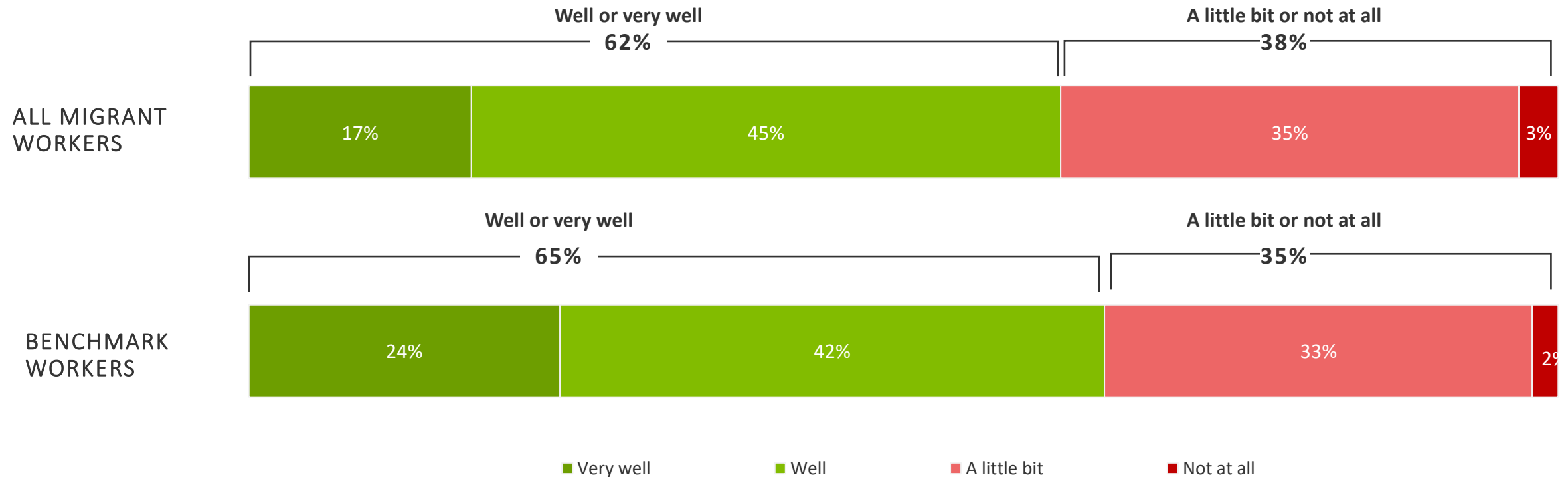
Perceived understanding of employment rights is mixed. Nearly four in ten migrant workers feel they only know ‘a little bit’ or nothing at all. This is even more pronounced among Chinese workers, those working in education, horticulture, hospitality or with smaller/mid sized employers (businesses with 6-9 employees).

SELF RATING OF UNDERSTANDING OF EMPLOYMENT RIGHTS



Benchmark workers' perceived understanding of their employment rights is more or less on par with migrant workers. However, benchmark workers were somewhat more likely to say they knew their rights 'very well'.

SELF RATING OF UNDERSTANDING OF EMPLOYMENT RIGHTS – COMPARISON TO BENCHMARK

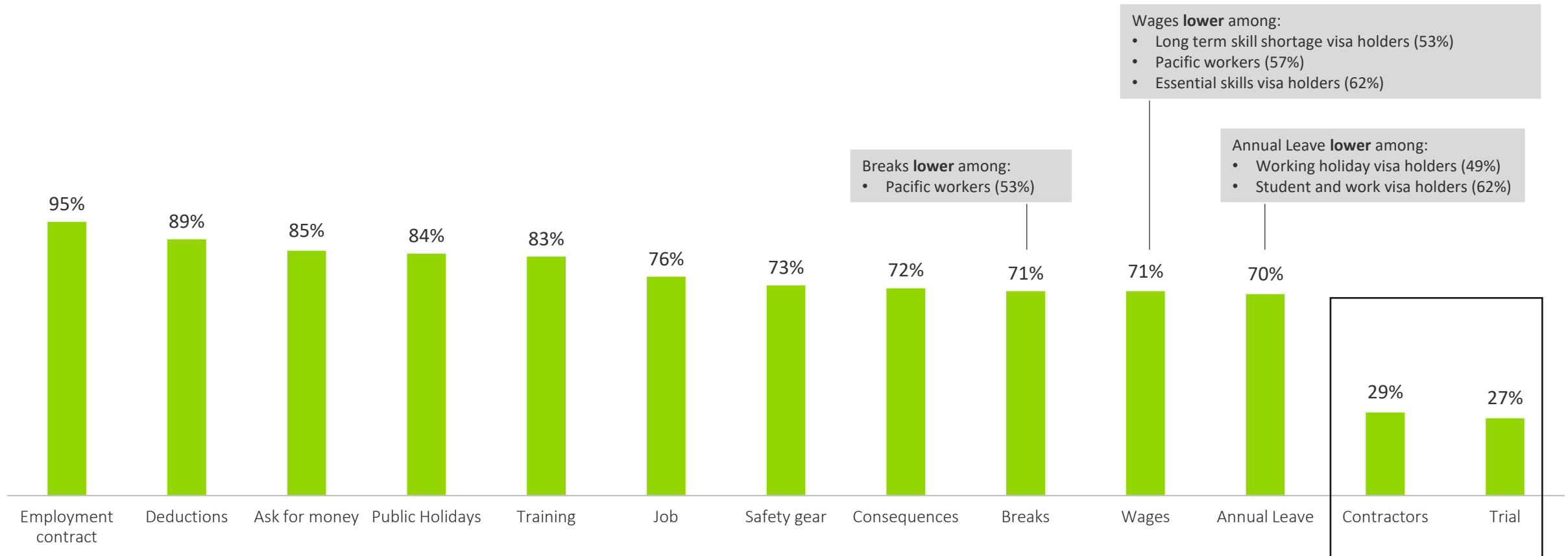


We showed workers a range of employment rights, and they indicated which they thought were correct and which were incorrect. Workers were also asked to state the minimum wage.

Employment right / regulation	Right Answer
<b>Annual Leave:</b> Employees have the right to at least 20 days annual leave after one year into the job	Correct
<b>Public holidays:</b> If an employee works on a public holiday and it would normally have been one of their working days, they are entitled to get paid 1.5 times their normal pay and have another day off	Correct
<b>Employment contract:</b> Employers must provide the employee with a copy of the employment contract (agreement) before they start their job	Correct
<b>Consequences:</b> Employers caught exploiting or mistreating migrant workers can be banned from hiring migrants in the future	Correct
<b>Trial:</b> A 90 day trial period is only valid if the employer has less than 20 employees and it is written in the employee's employment contract (agreement) before they start working.	Correct
<b>Training:</b> Employers need to pay employees when they are being trained for the job	Correct
<b>Contractors:</b> Contractors don't have the same rights as employees	Correct
<b>Breaks:</b> All breaks are <b>unpaid</b> (i.e. morning tea, lunch, afternoon tea)	Incorrect
<b>Ask for money:</b> An employer can ask for money from a potential worker to give the worker a job <b>(This was not asked of benchmark workers)</b>	Incorrect
<b>Safety gear:</b> <b>Employees</b> must pay for their own health and safety equipment	Incorrect
<b>Wages:</b> The adult minimum wage in NZ for migrants is \$18.70 now.	Incorrect
<b>Job:</b> An employer can employ a migrant as a chef but have them work as a waiter.	Incorrect
<b>Deductions:</b> An employer can make deductions from an employee's wages or salary for any reason they want to without their consent.	Incorrect

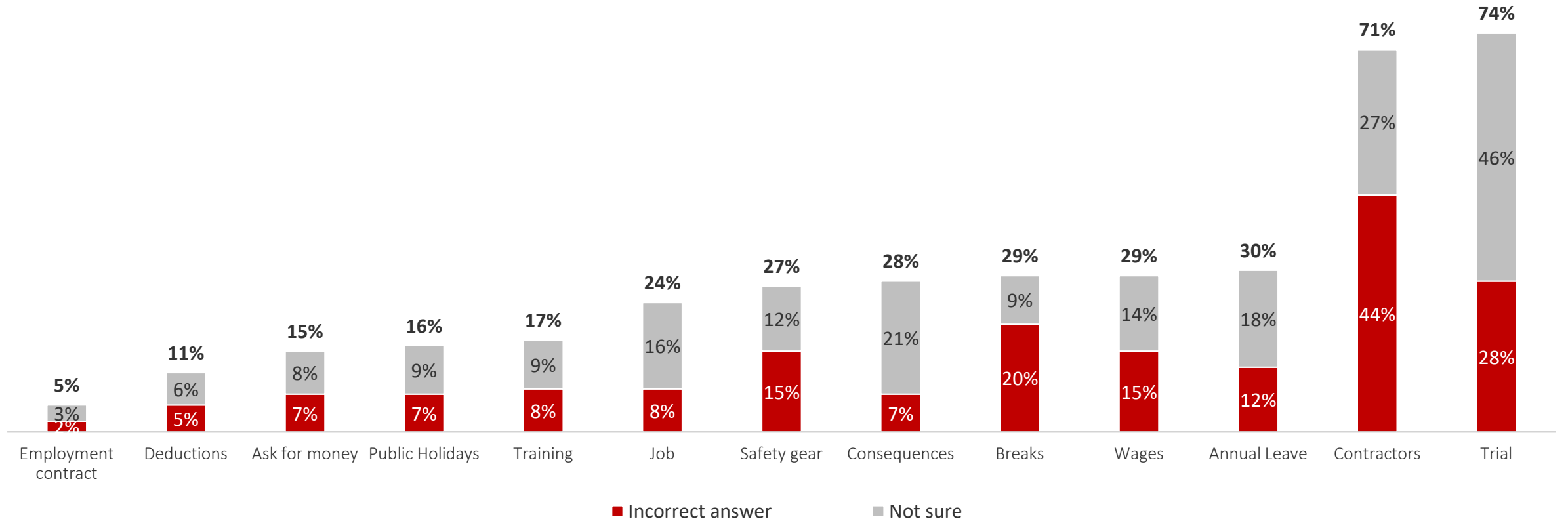
Migrant worker understanding is highest for the right to an employment contract, and sits at 70% or above for the remainder of the rights tested bar the two rights associated with contractors and the 90-day trial period.

### KNOWLEDGE OF MINIMUM EMPLOYMENT RIGHTS



Rather than being unsure, workers are more likely to misunderstand the employment law for contractors, the 90-day trial, breaks and who pays for safety gear.

LACK OF KNOWLEDGE AND UNSURETY ABOUT EMPLOYMENT RIGHTS

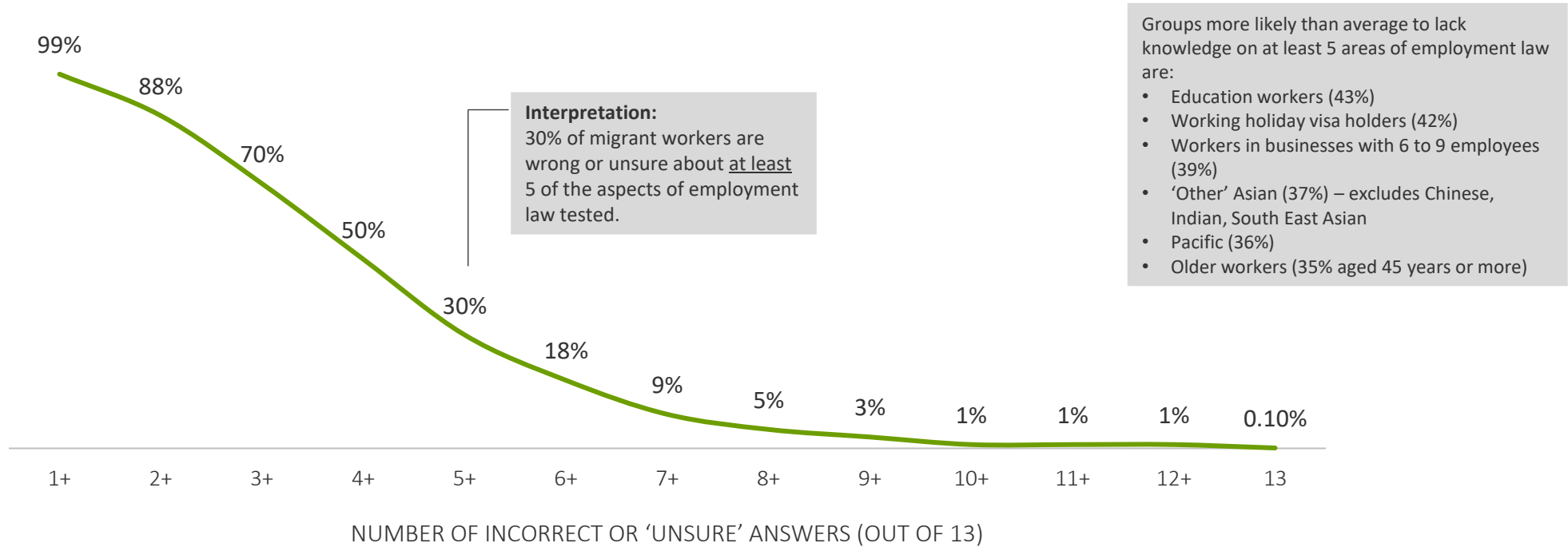


Three in ten migrant workers lack knowledge of at least five aspects of the employment law tested. Lack of knowledge is higher among education workers, smaller businesses and working holiday visa holders.

NUMBER OF INCORRECT KNOWLEDGE OR UNSURETY ABOUT EMPLOYMENT RIGHTS (CUMULATIVE DATA)

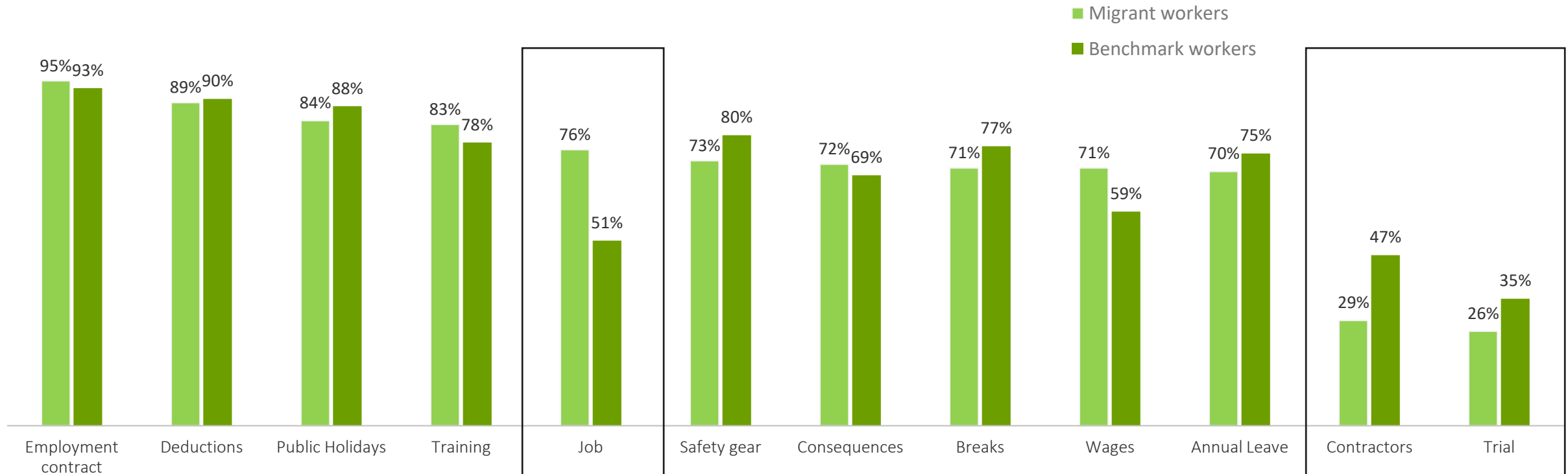
AVERAGE NUMBER OF INCORRECT OR UNSURE ANSWERS (OUT OF 13) =

4/13



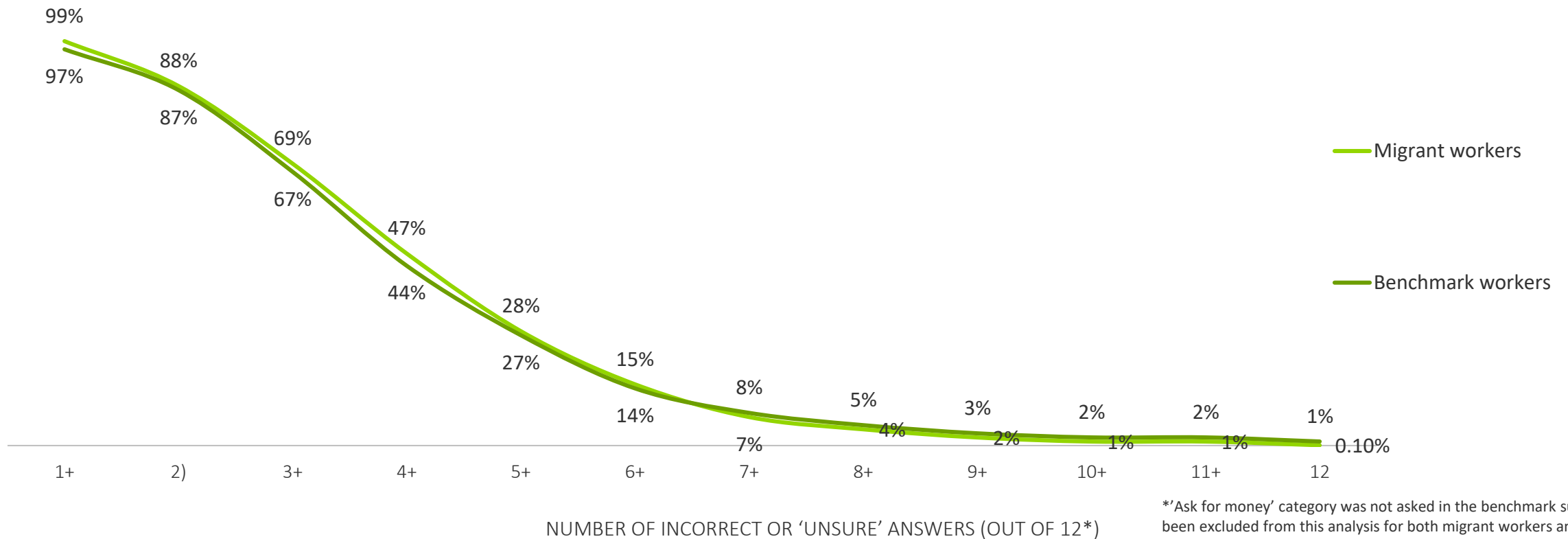
Migrant workers have greater knowledge about the rules surrounding whether an employer can employ someone in one role and have them work in another (76% of migrant workers correctly answered this, compared to 51% of benchmark workers). However migrant workers are less likely than benchmark workers to know about contractors' rights (29%, vs 47%) and the rules around the 90-day trial period (26%, vs 35%).

KNOWLEDGE OF MINIMUM EMPLOYMENT RIGHTS – COMPARISON TO BENCHMARK



# Migrant workers and benchmark workers exhibit very similar levels of incorrect knowledge/unsurety.

## NUMBER OF INCORRECT KNOWLEDGE OR UNSURETY ABOUT EMPLOYMENT RIGHTS

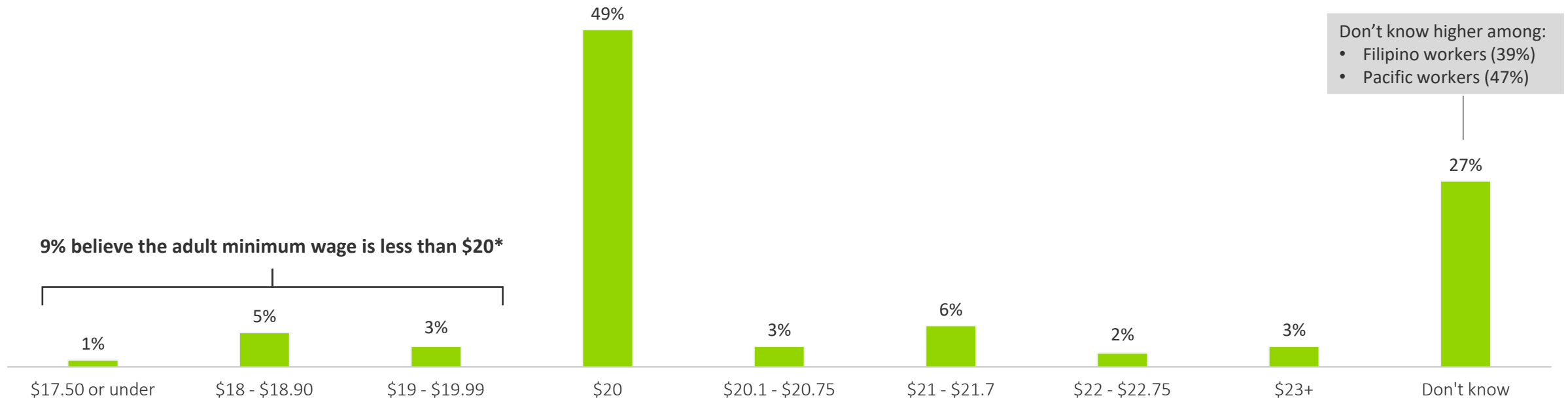


\*'Ask for money' category was not asked in the benchmark survey so has been excluded from this analysis for both migrant workers and benchmark workers.



Half of migrant workers know the adult minimum wage, 27% are unsure and 9% think it is less than \$20.

### AWARENESS OF ADULT MINIMUM WAGE

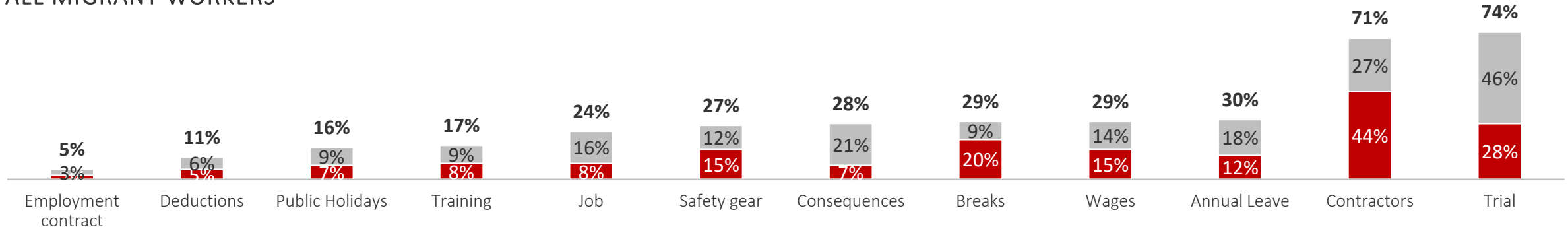


\* An additional 14 respondents answered '2'. They have been excluded from the \$17.50 or under category as it is likely they had accidentally omitted the '0'

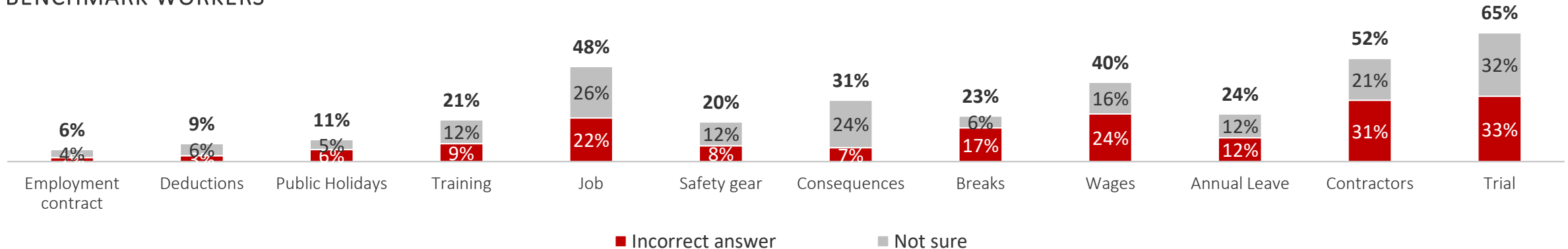
Like migrant workers, benchmark workers' lack of knowledge of the various aspects of employment law is due to both significant levels of incorrect understanding and uncertainty.

LACK OF KNOWLEDGE AND UNSURETY ABOUT MINIMUM EMPLOYMENT RIGHTS – COMPARISON TO BENCHMARK

ALL MIGRANT WORKERS



BENCHMARK WORKERS



A quarter of migrant workers are aware of the migrant exploitation protection visa. Lack of awareness is especially high among working holiday visa holders.

## AWARENESS OF MIGRANT EXPLOITATION PROTECTION VISA

Lack of awareness more common among:

- Working holiday visa holders (90% not aware)
- South African workers (85% not aware)
- European workers (86% not aware)

63%

Not aware



Aware

27%

Awareness higher among:

- Indian workers (47%)
- Belong to an ethnic association or migrant community group (38% vs 24% who do not belong to a group)
- Essential skills visa holders (33%)

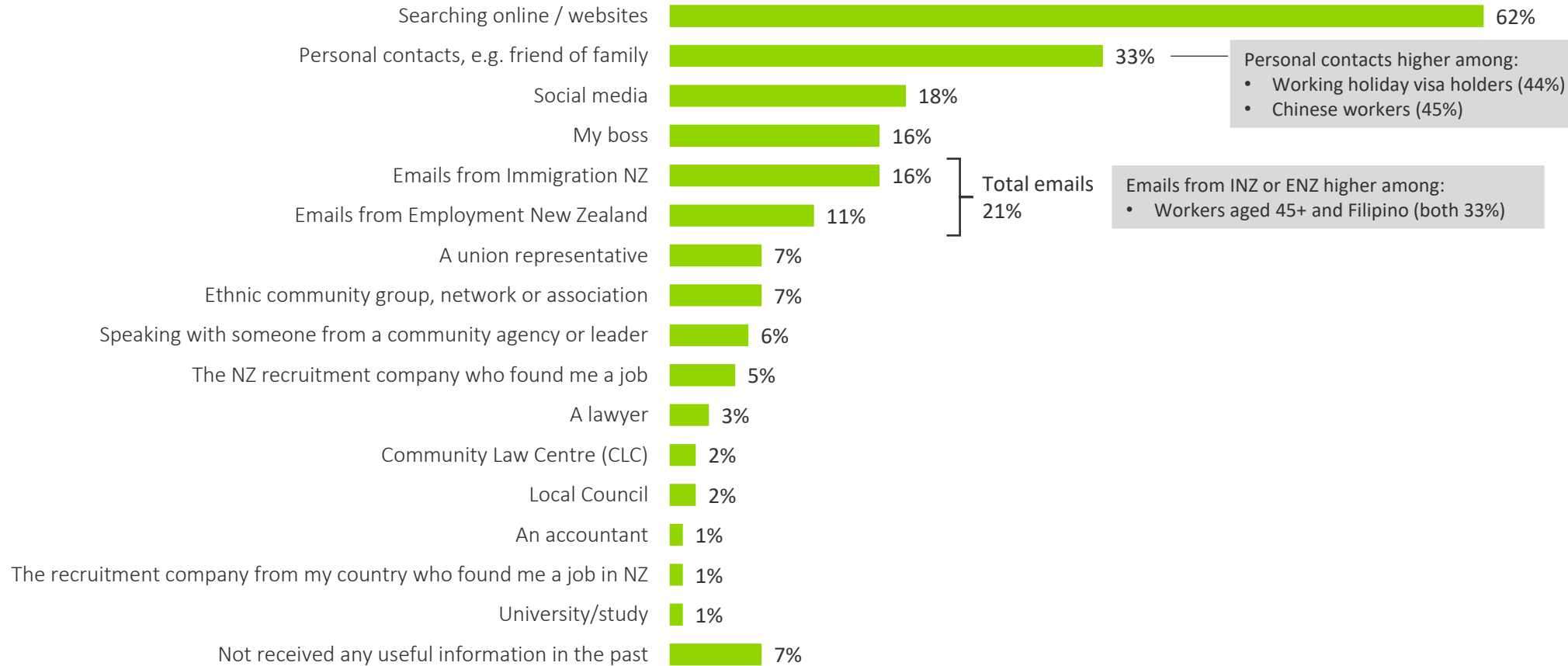
# How do workers find out about employment rights in New Zealand?

**Most migrant workers find out about employment rights through actions initiated by themselves (e.g. internet searches, conversations with others). Some find it difficult to find the information they need.**

**Immigration New Zealand is the most visited website, though Employment New Zealand is felt to be more useful. New Zealand Now is also a key destination.**

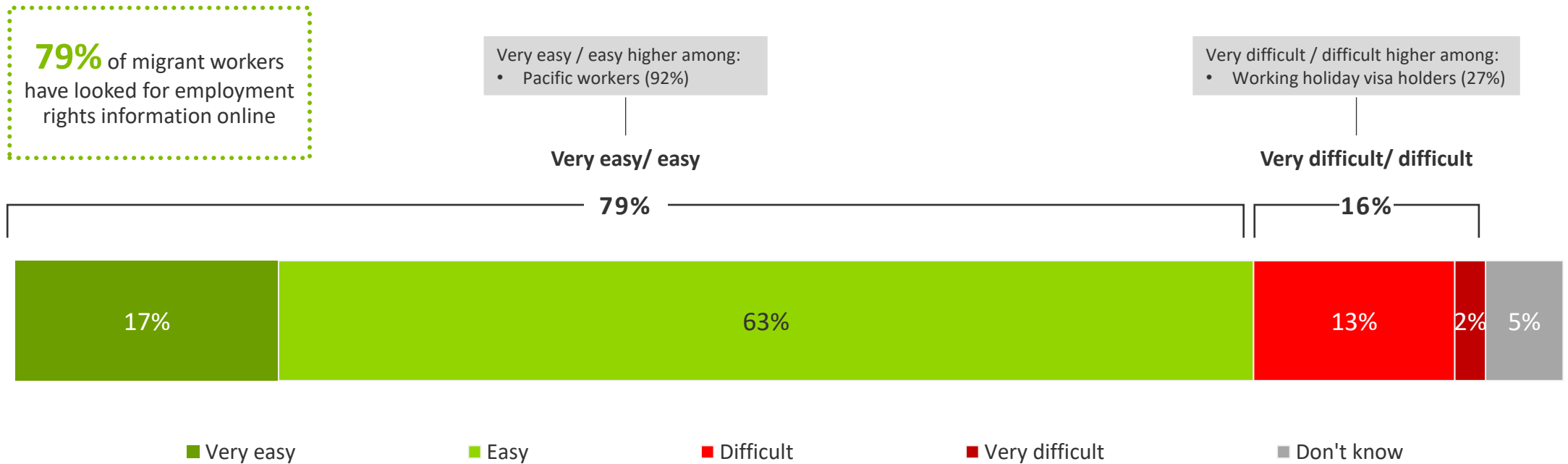
Searching online is the most common source of useful information about employment rights (62%). A third of migrant workers make use of personal contacts, while nearly one in five find social media useful. A fifth say useful information comes from Immigration NZ or Employment NZ emails.

### SOURCES OF USEFUL INFORMATION



One in six migrant workers found it difficult or very difficult to find information they needed about employment rights online.

EASE OF FINDING INFORMATION ABOUT EMPLOYMENT RIGHTS ONLINE (AMONG THOSE WHO SEARCHED ONLINE)



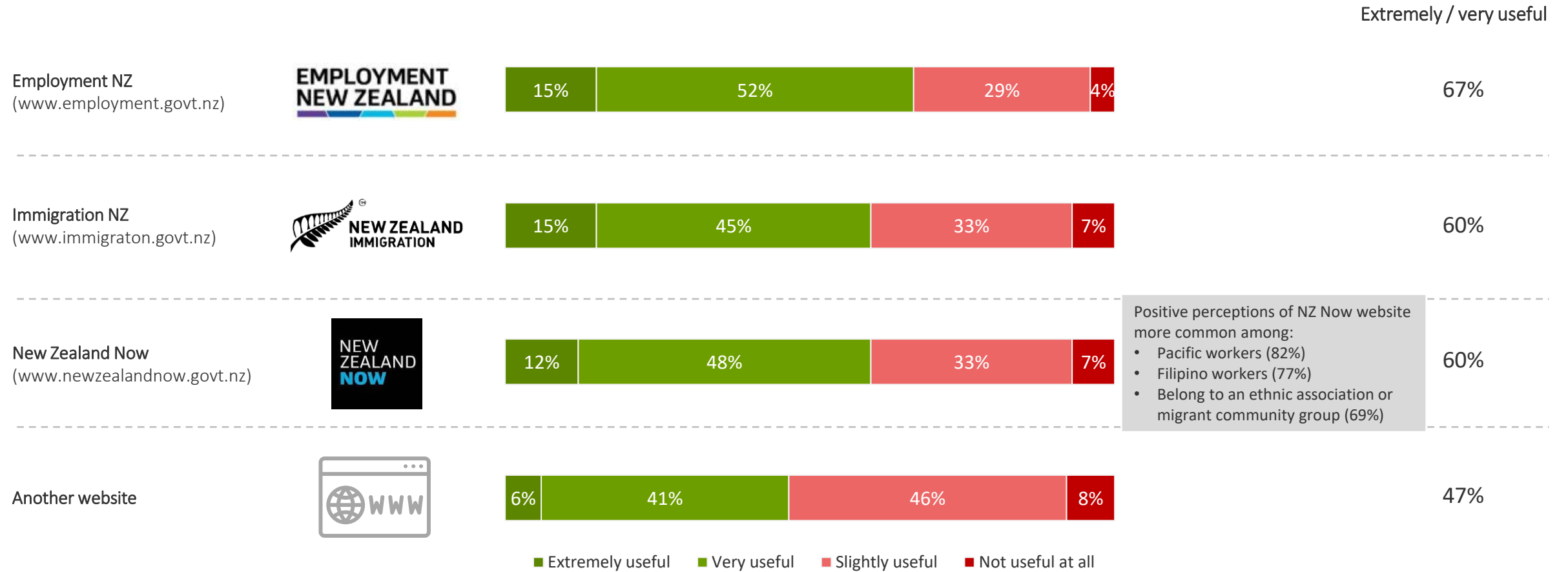
Immigration NZ's website is the most visited website for information about employment rules and regulations, followed by the Employment NZ website. Half of migrant workers have visited the New Zealand Now website.

VISITATION OF WEBSITES FOR INFORMATION ABOUT EMPLOYMENT RIGHTS\*



# Employment NZ is seen as the most useful website for information about employment rules and regulations.

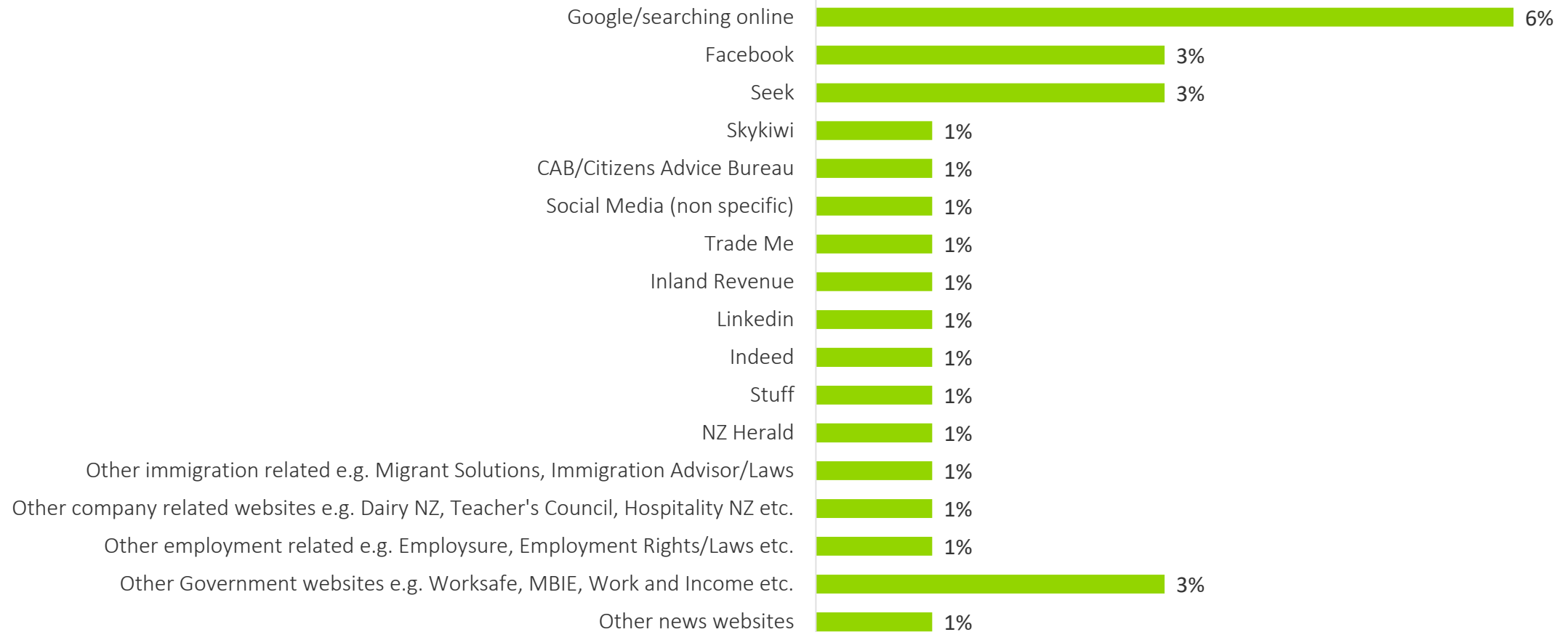
## USEFULNESS OF WEBSITES AS SOURCES OF INFORMATION ABOUT EMPLOYMENT RIGHTS





There are a range of other websites that are seen as useful for finding out about employment rules and regulations. After a general Google search, this information is sometimes found on Facebook and Seek.

OTHER WEBSITES USEFUL FOR INFORMATION ABOUT EMPLOYMENT RULES AND REGULATIONS



# How would workers like to find out about their employment rights?

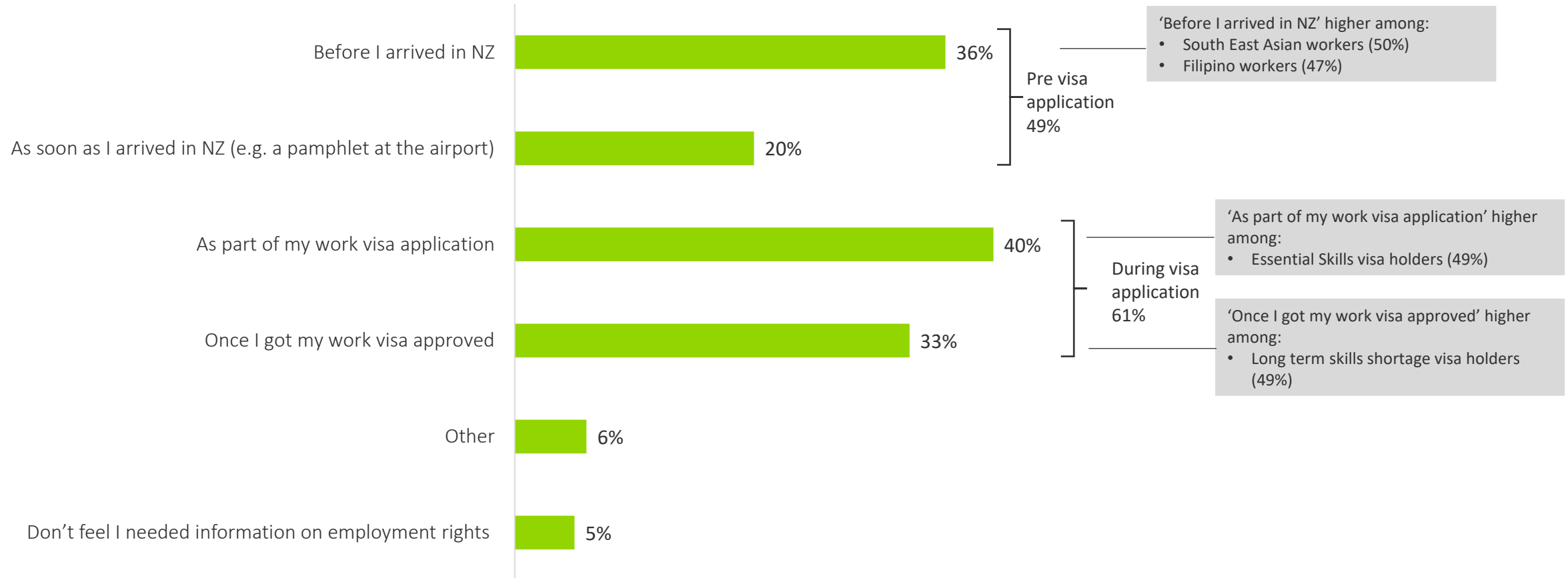
Migrant workers are looking for a more proactive, 'push' approach to education around their employment rights, with more information both before and during their visa application.

Many of the ideas were positively received. Migrants would particularly welcome both a dedicated website around employment rights, and a dedicated (and accessible) phone line for queries. Having things in their own language is important.

Changes in immigration law (no doubt because of their focus on staying in NZ) are of particular interest to them, alongside employment education. Government sources, rather than community groups, are the most trusted source of this information.

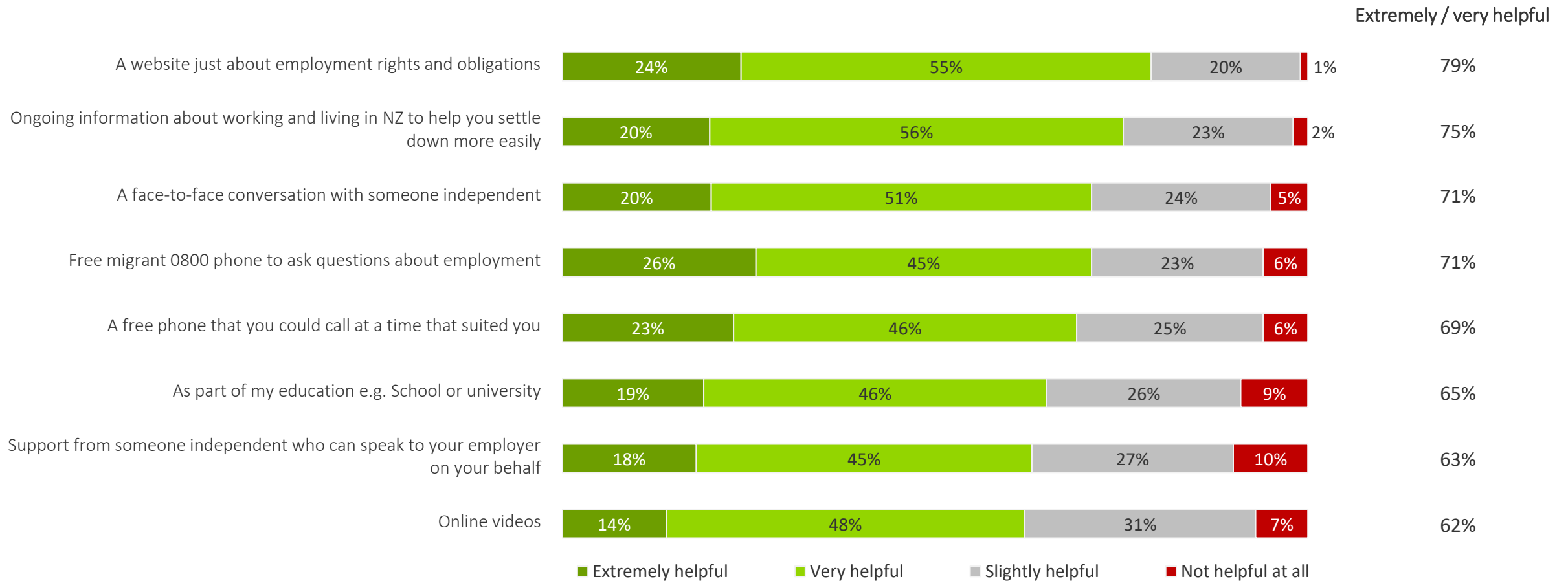
There is a need for information about employment rights at multiple points of a migrant’s journey, with a slight preference for during the visa process, either as part of the visa application or once it has been approved.

BEST TIME TO GET INFORMATION ABOUT EMPLOYMENT RIGHTS IN NZ



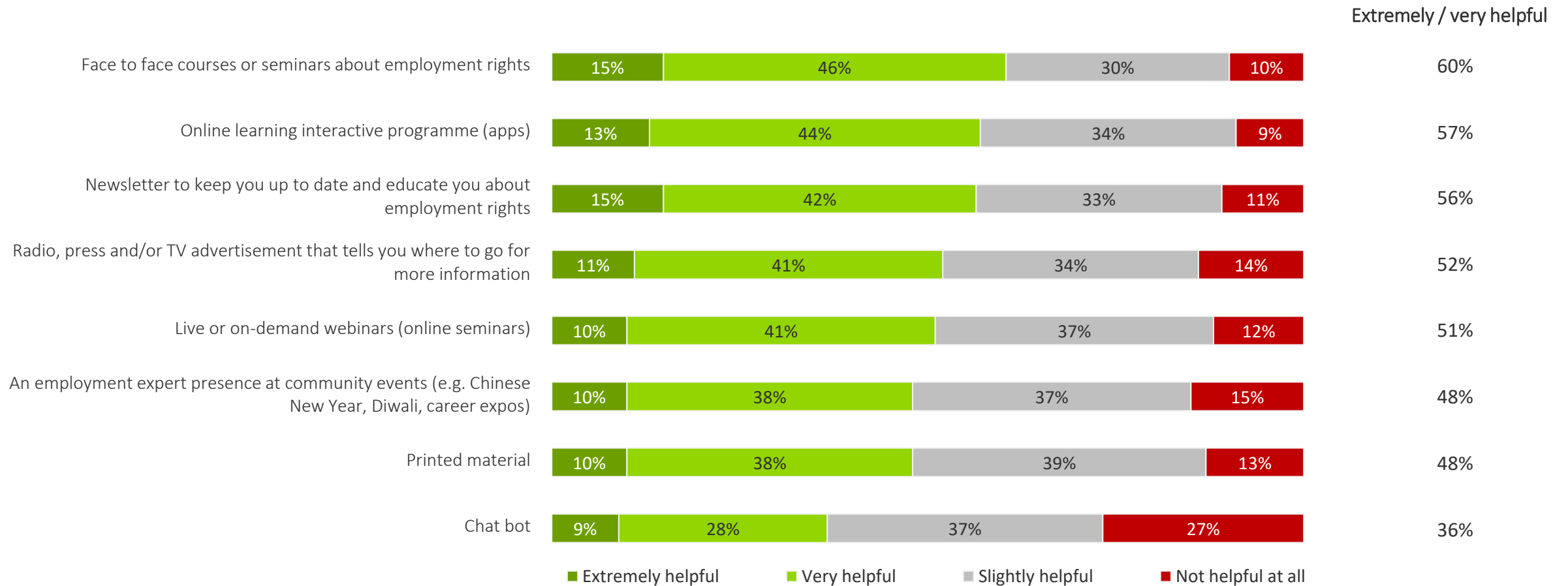
A website and ongoing information about working and living in NZ, as well as in-person contact (either face to face or over the phone) are the most helpful ways for most migrant workers to get information and support about employment rights.

GETTING INFORMATION AND SUPPORT ABOUT EMPLOYMENT RIGHTS



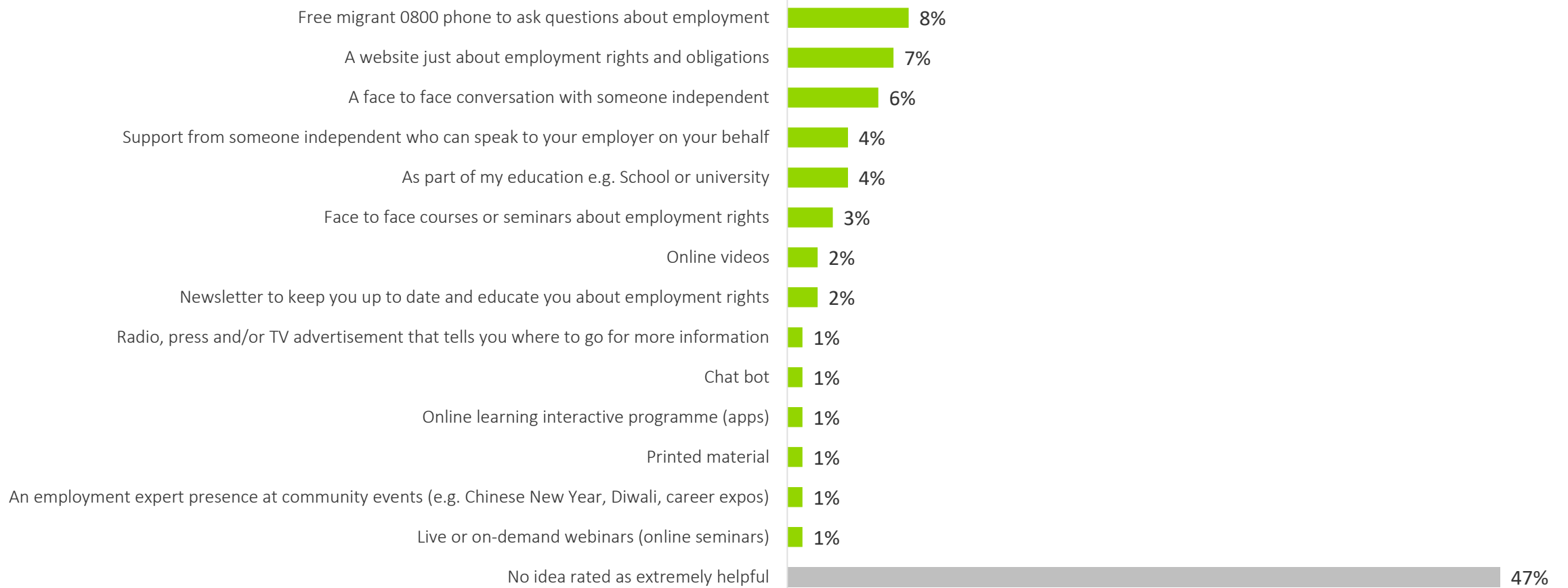
Although not as popular, options such as printed material and employment experts at community events are still perceived to be extremely or very helpful by nearly half of migrant workers. As the 'media use' results shown later in this report show, a range of avenues will need to be employed to reach migrant workers.

### GETTING INFORMATION AND SUPPORT ABOUT EMPLOYMENT RIGHTS



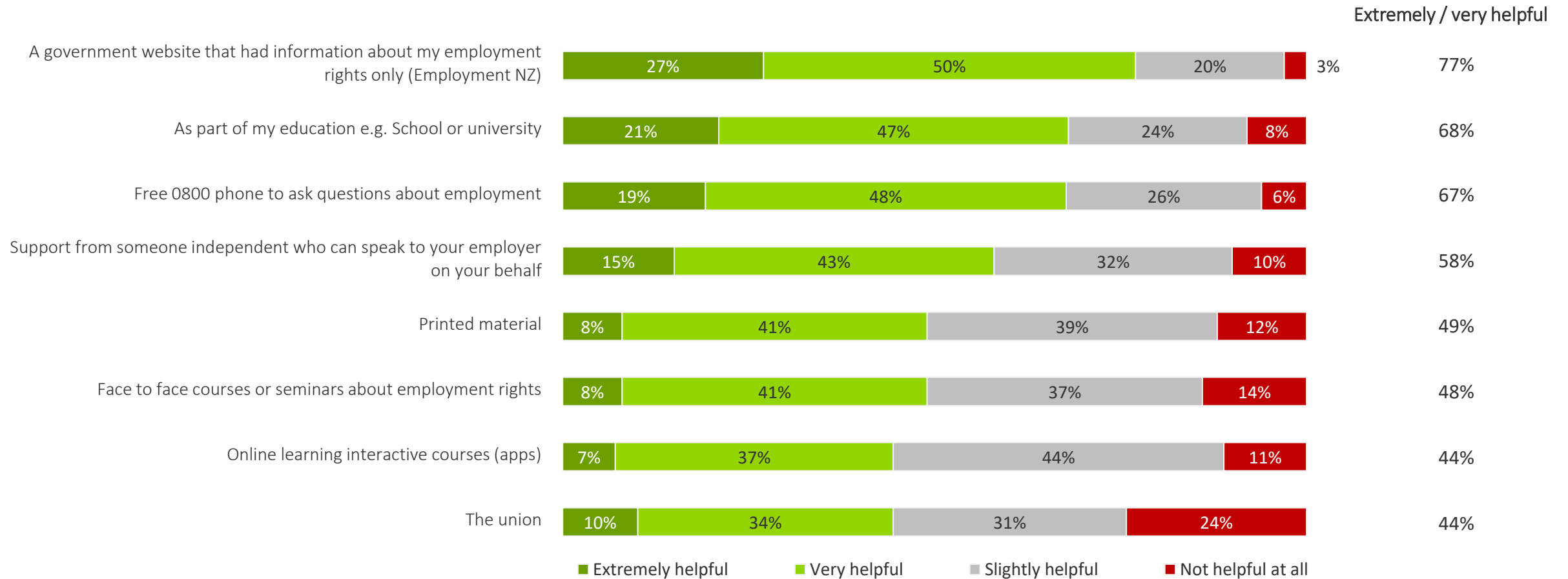
When asked to choose just one of the ‘extremely helpful’ ideas, a free migrant 0800 phone, website, and independent advice in a face-to-face setting top the list. Nearly half of migrant workers did not rate any of the ideas we presented to them as extremely helpful.

MOST HELPFUL WAYS TO GET INFORMATION AND SUPPORT ABOUT EMPLOYMENT RIGHTS



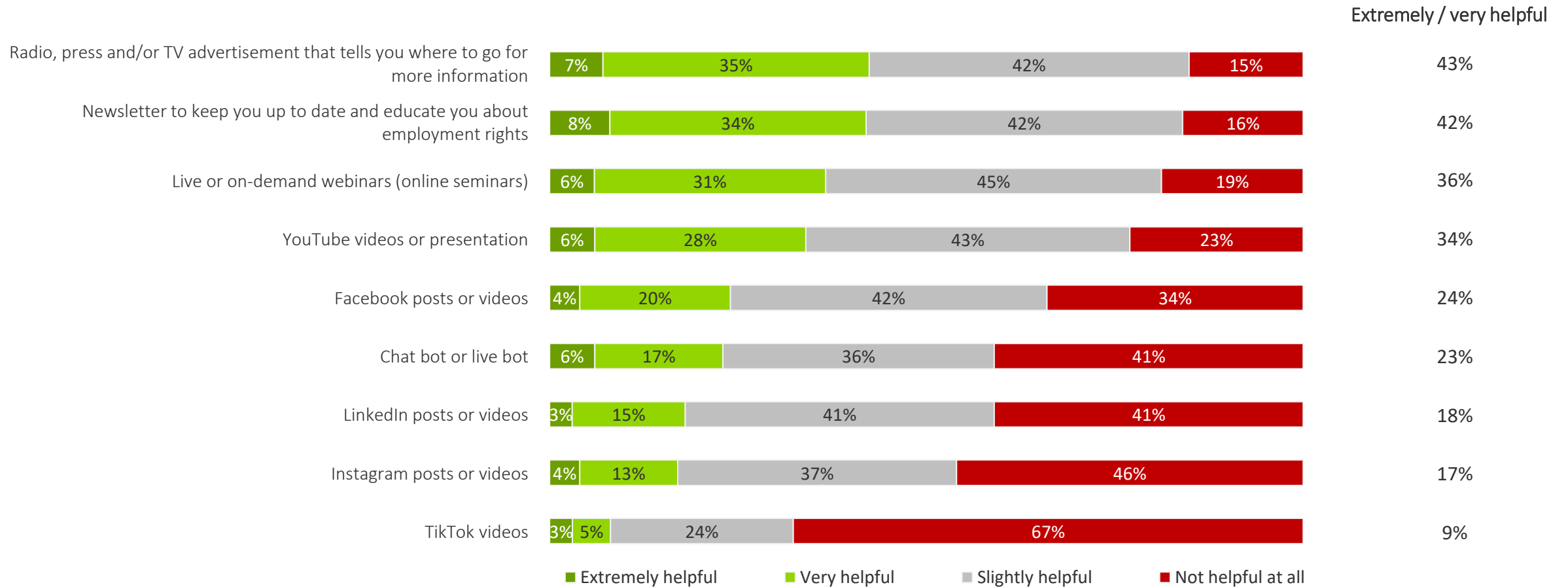
Benchmark workers would find a government website focussed on employment rights, introducing the topic to the education curriculum, and a free phone number, to be most helpful.

GETTING INFORMATION AND SUPPORT ABOUT EMPLOYMENT RIGHTS – BENCHMARK WORKERS



# For benchmark workers, social media channels and chat bots are the least helpful sources of information and support about employment rights.

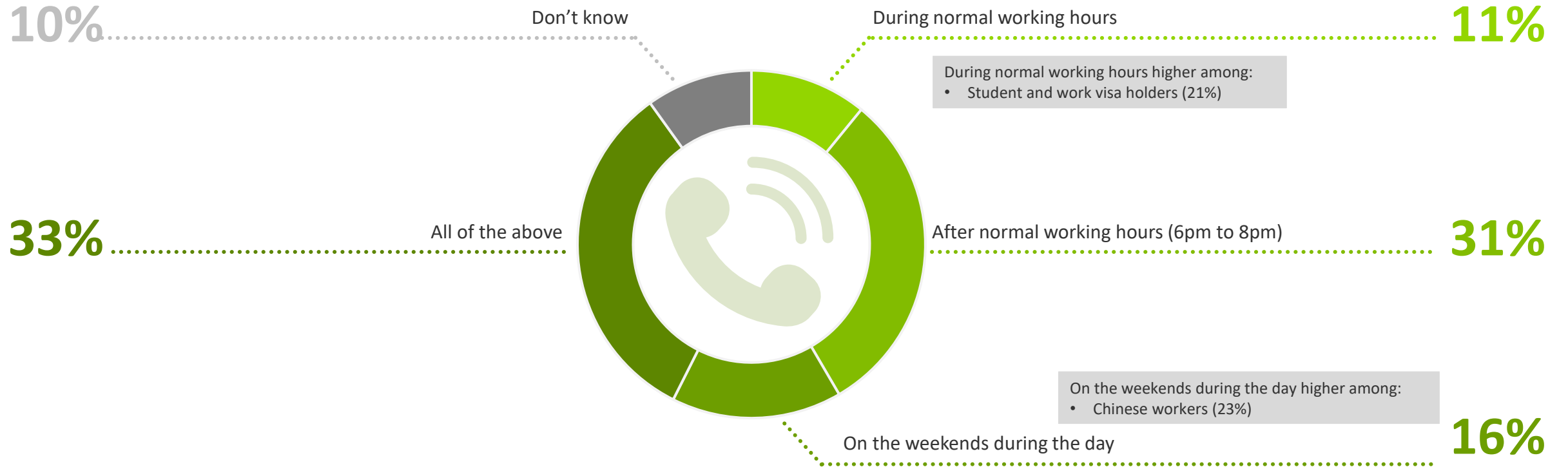
## GETTING INFORMATION AND SUPPORT ABOUT EMPLOYMENT RIGHTS – BENCHMARK WORKERS





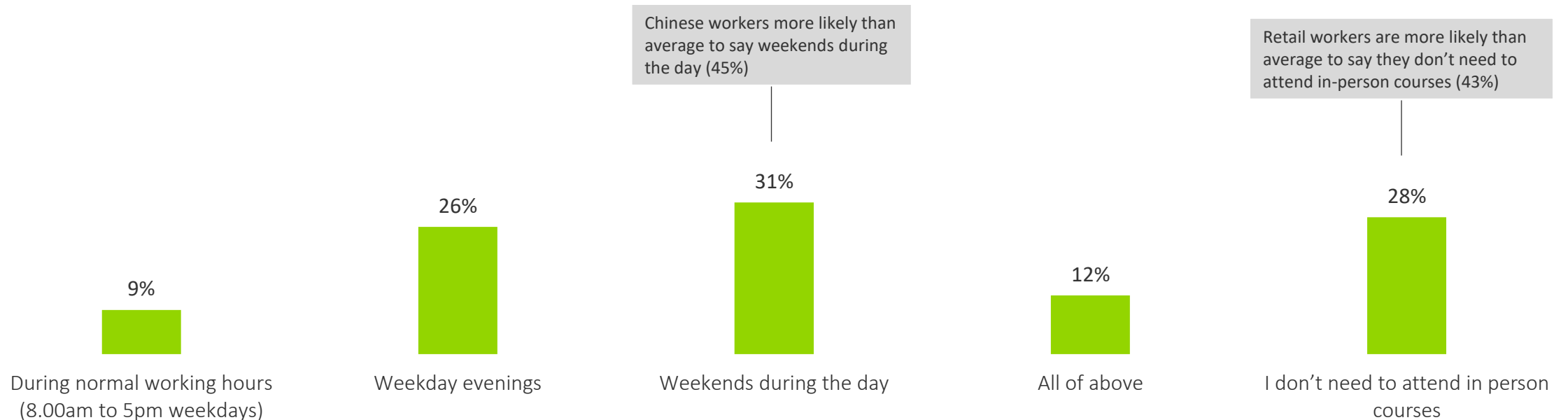
Access to a freephone outside of normal working hours is key for migrant workers.

BEST TIME TO CALL A FREEPHONE (AMONG WORKERS WHO SAY A FREEPHONE WOULD BE HELPFUL)



Weekends or weekday evenings are the best times for migrant workers to attend in-person courses or live webinars. Nearly three in ten don't feel the course/seminar needs to be in-person.

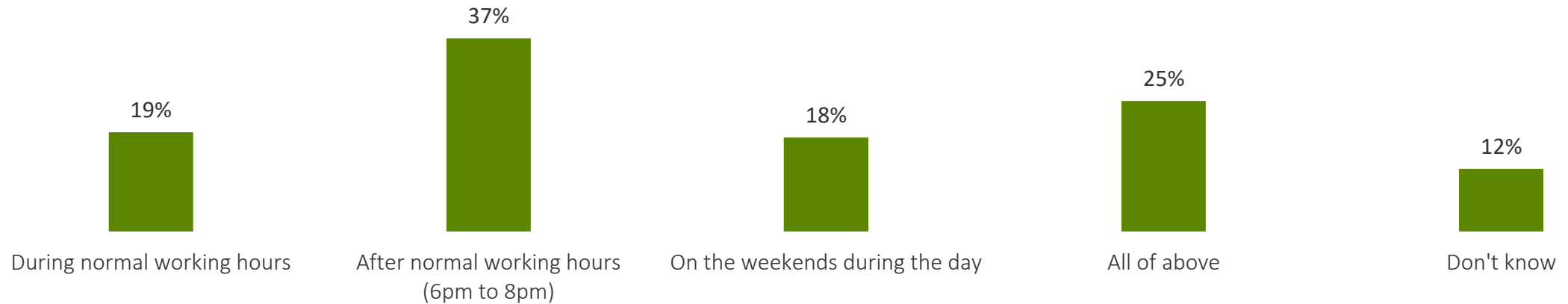
BEST TIME FOR IN-PERSON COURSES / LIVE WEBINARS (AMONG WORKERS WHO SAID THESE WOULD BE HELPFUL)



# Benchmark workers also prefer to engage outside normal working hours.

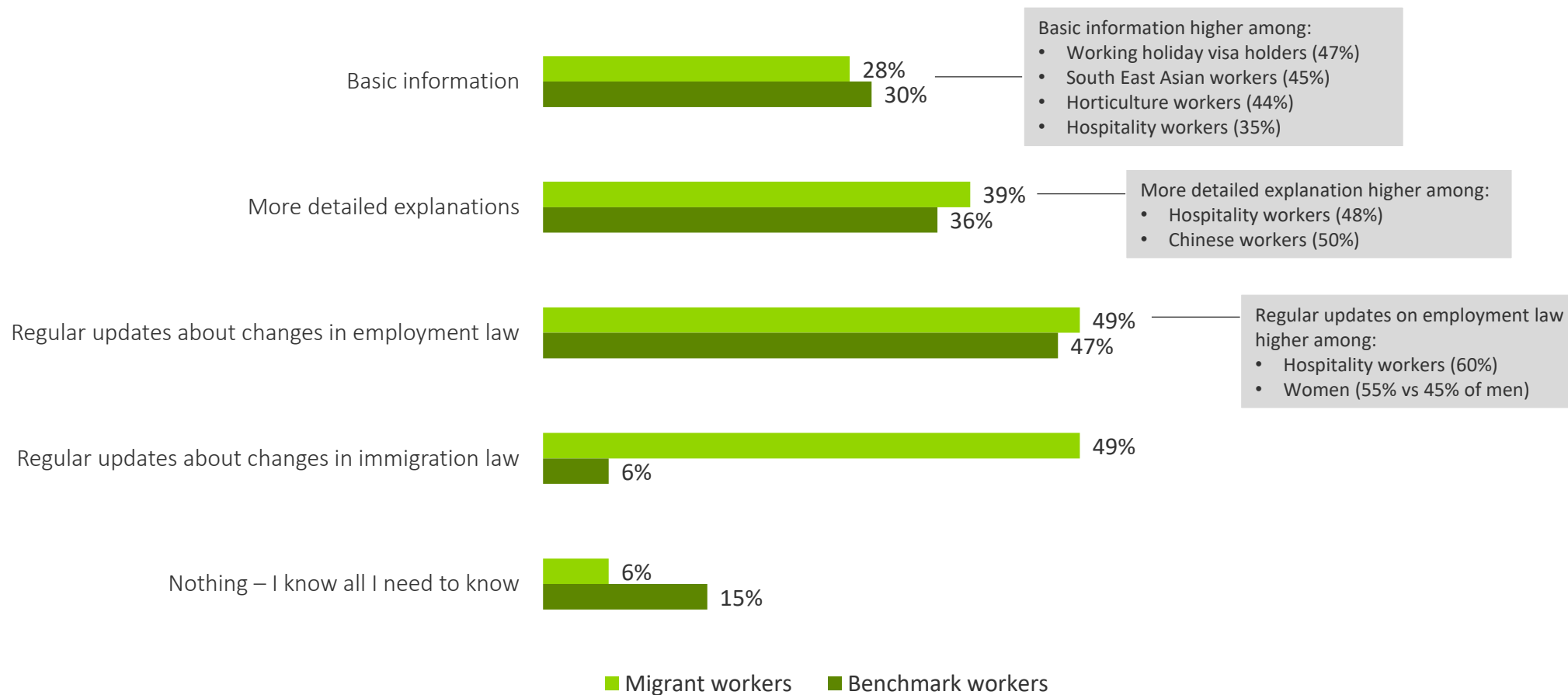
BEST TIME FOR IN-PERSON COURSES, LIVE WEBINARS OR TO TALK TO SOMEONE N A FREE HELPLINE

BENCHMARK WORKERS



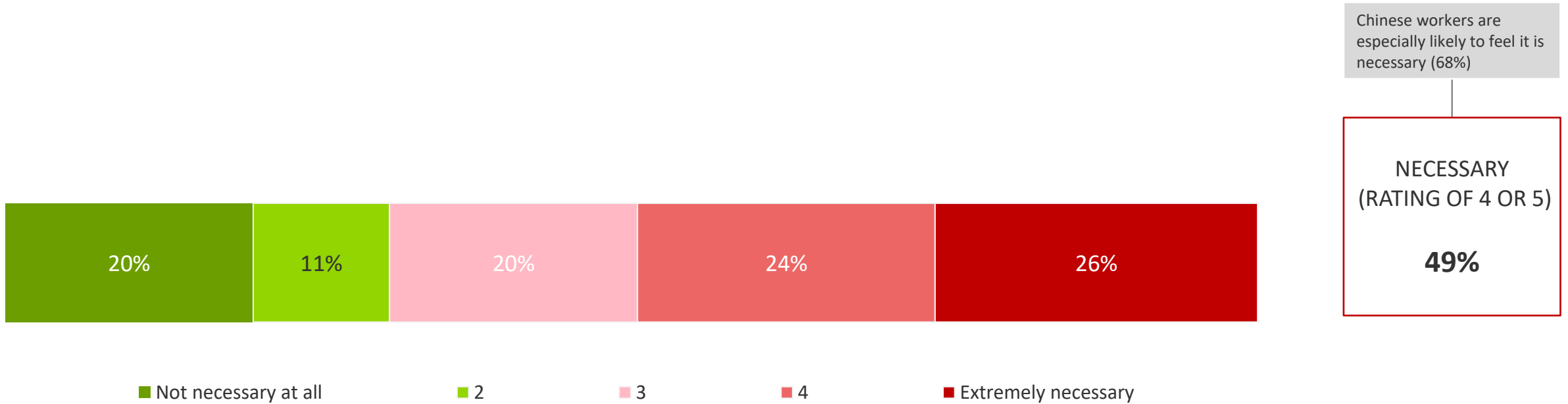
A range of types of information is needed to meet the needs of most workers – both basic and detailed information, as well as regular updates about changes to employment law. Around half of migrant workers are also interested in receiving regular updates about changes in immigration law.

### INTEREST IN SPECIFIC TYPES OF EMPLOYMENT LAW



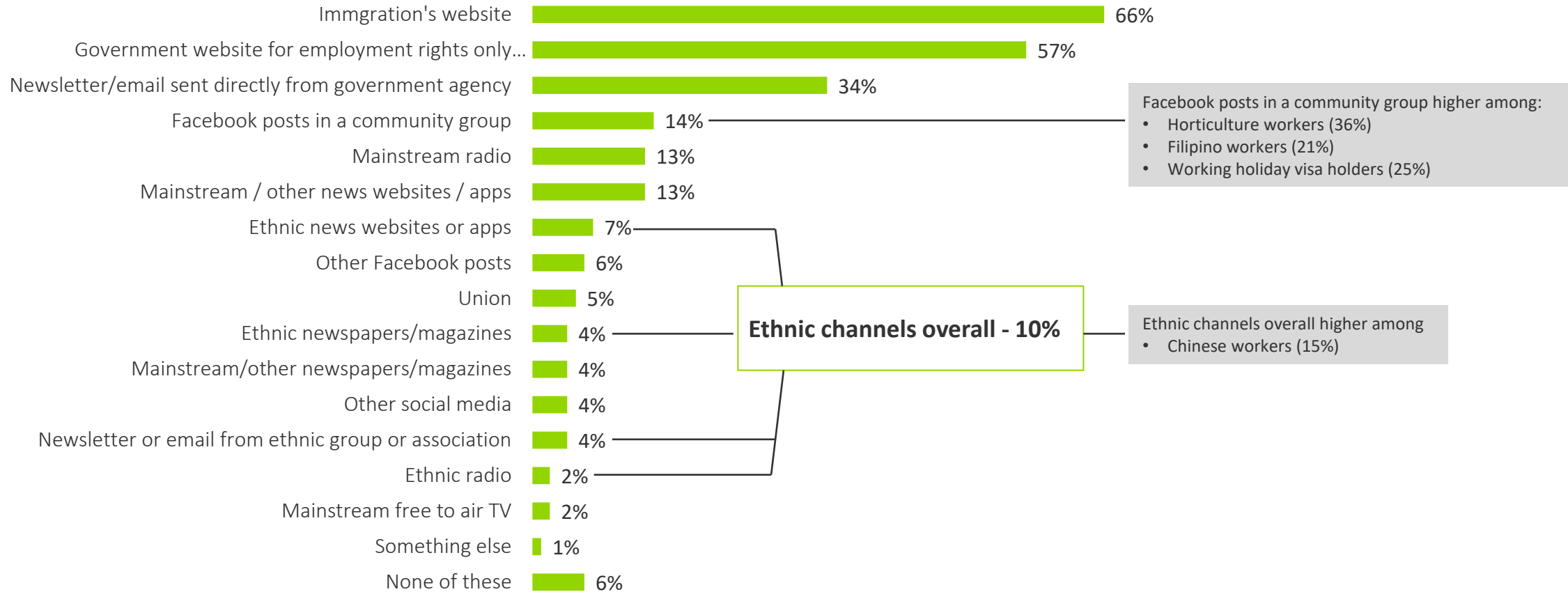
Half of migrant workers would like employment information in their own language. This jumps to 68% for Chinese workers.

### NECESSITY OF EMPLOYMENT INFORMATION IN OWN LANGUAGE



Immigration NZ's website is the most trusted source of information on employment law for migrant workers. Many would also trust a government website dedicated to employment rights.

MOST TRUSTED SOURCES OF EMPLOYMENT LAW INFORMATION



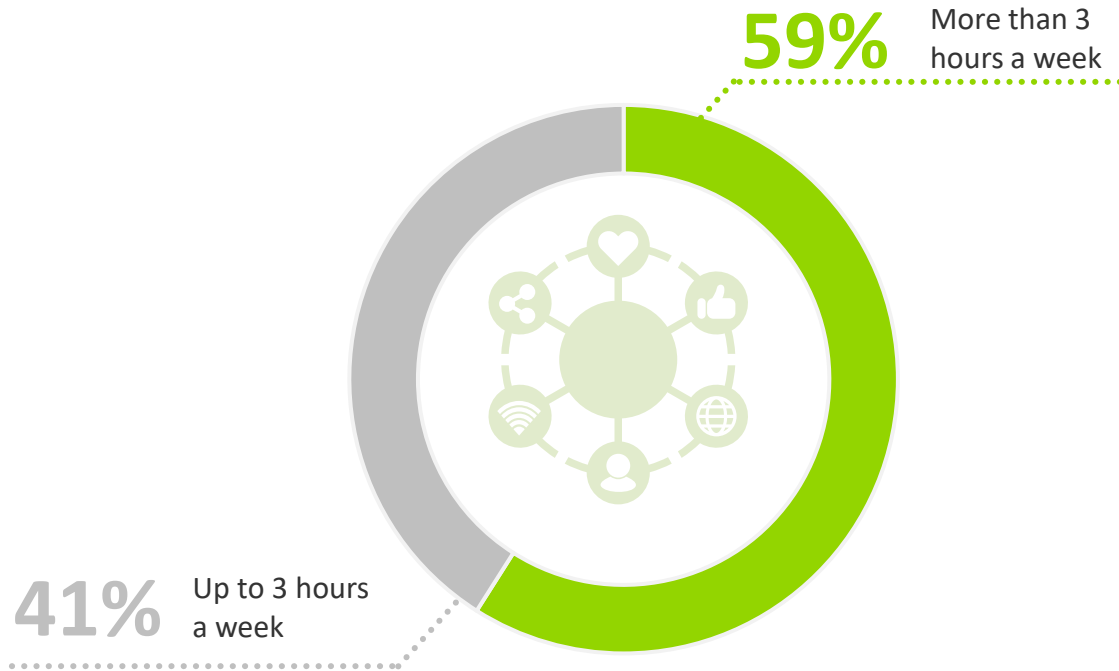
# What media do migrant workers use?

Unsurprisingly, social media is a key channel for migrants, with a patchwork of different social media platforms dependent on ethnicity. Some, particularly Chinese and Indian migrants, use a variety of community media, though mainstream (non community specific) media is also a key channel.

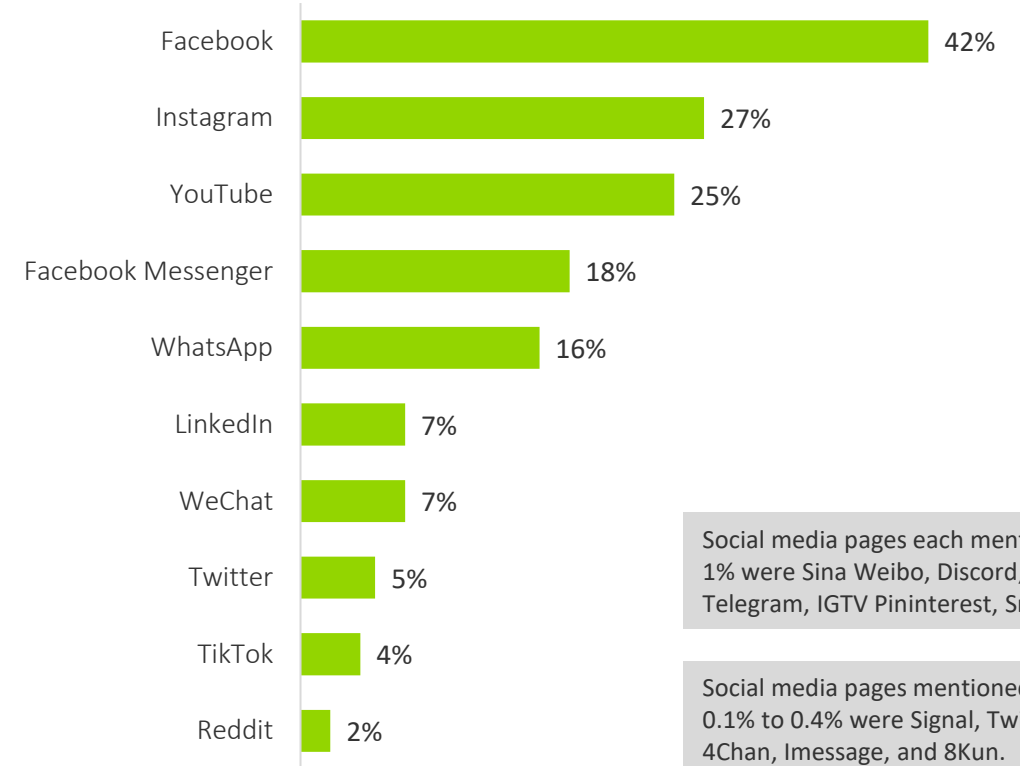


Nearly six in ten migrant workers use social media for at least three hours a week.

SOCIAL MEDIA USE



Base: All migrant workers (n=964)  
 Source: Migrant worker survey  
 Q28B. Do you look at social media pages or apps for...



Base: All migrant workers (n=964)  
 Source: Migrant worker survey  
 Q28G. What social media sites or apps do you use most weeks?

Social media pages each mentioned by 1% were Sina Weibo, Discord, Telegram, IGTV Pinterest, SnapChat.

Social media pages mentioned by 0.1% to 0.4% were Signal, Twitch, 4Chan, Imessage, and 8Kun.



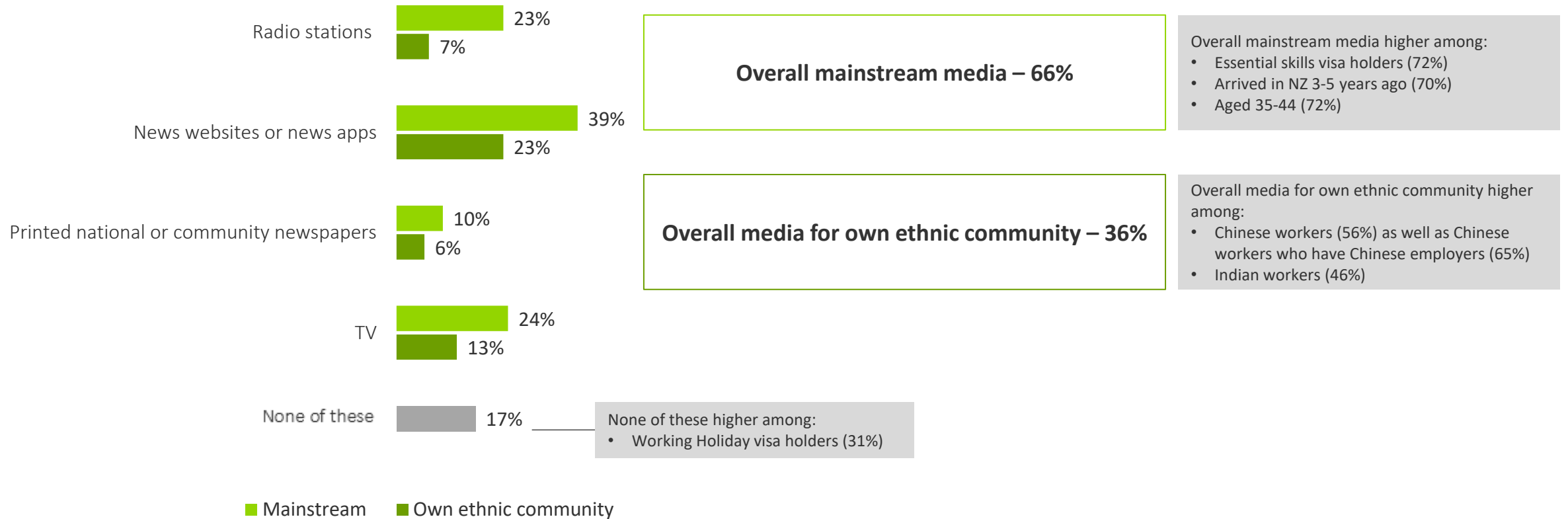
While Facebook is one of the top three social media sites used regardless of ethnicity, there is variation in other social media sites used depending on ethnicity.

### SOCIAL MEDIA SITES USED BY WORKER ETHNICITY

	Base	Chinese	Filipino	Indian	European incl. Great Britain / Ireland	Pacific peoples	South East Asian	African / South African	South American	Other Asian	Another ethnicity
Base	(964)	(125)	(118)	(111)	(159)	(83)	(58)	(71)	(69)	(130)	(72)
Facebook	42%	34%	57%	45%	35%	30%	55%	45%	39%	45%	33%
Instagram	27%	20%	15%	38%	33%	11%	40%	18%	48%	30%	31%
YouTube	25%	34%	27%	27%	23%	23%	31%	13%	23%	26%	15%
Facebook Messenger	18%	7%	31%	15%	25%	27%	22%	15%	7%	12%	19%
WhatsApp	16%	6%	4%	30%	21%	4%	19%	28%	35%	10%	24%
LinkedIn	7%	6%	5%	5%	3%	6%	9%	11%	13%	9%	10%
WeChat	7%	50%	-	-	-	-	-	-	-	1%	1%
Twitter	5%	4%	3%	2%	8%	2%	3%	4%	7%	2%	8%
TikTok	4%	11%	3%	1%	3%	-	5%	1%	3%	3%	8%
Reddit	2%	1%	2%	2%	4%	-	3%	1%	-	1%	6%
Sina Weibo	1%	10%	-	-	-	-	-	-	-	-	-
Discord	1%	2%	-	1%	1%	-	2%	1%	3%	2%	-
Telegram	1%	1%	-	1%	1%	-	2%	-	-	-	3%
IGTV	1%	1%	-	-	1%	-	2%	-	1%	-	-
Pinterest	1%	2%	2%	-	-	-	-	1%	-	-	-
SnapChat	*	-	-	1%	1%	-	2%	-	-	-	1%

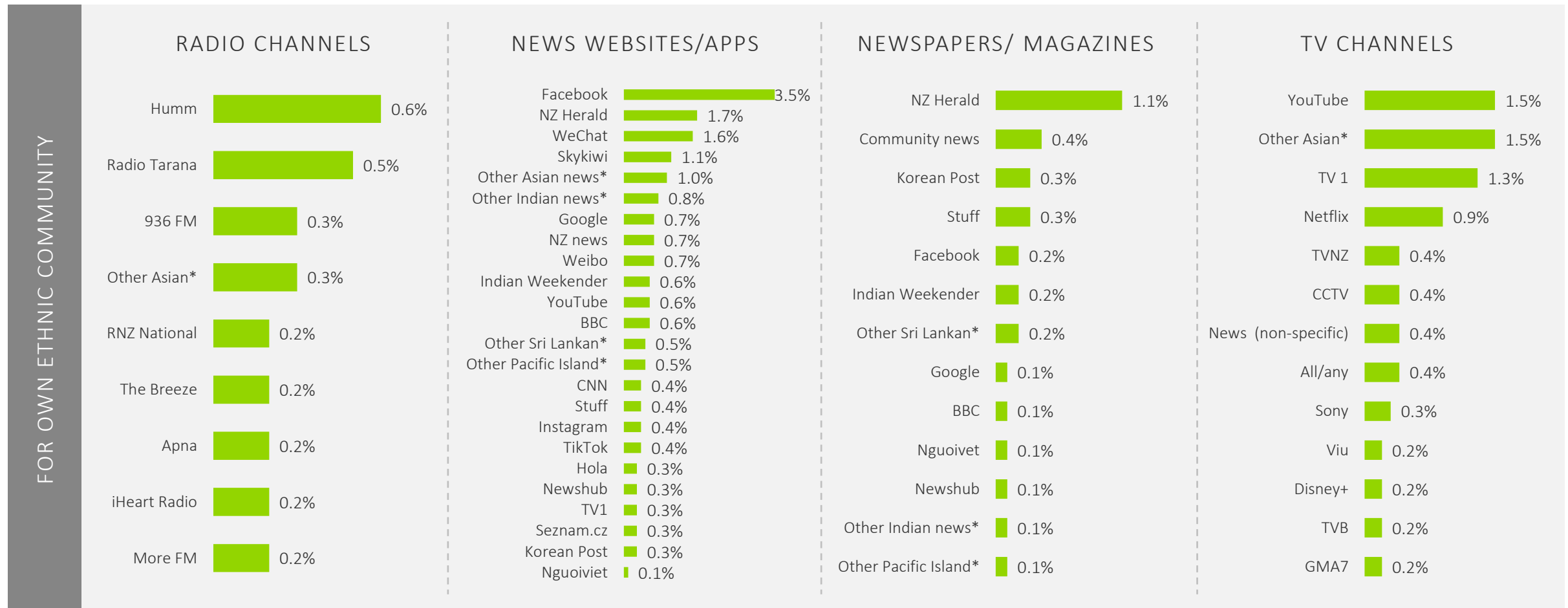
A third of migrant workers consume these media from their own ethnic communities (largely driven by news websites or news apps) – this increases further for Chinese and Indian workers.

OTHER MEDIA USED FOR AT LEAST THREE HOURS PER WEEK



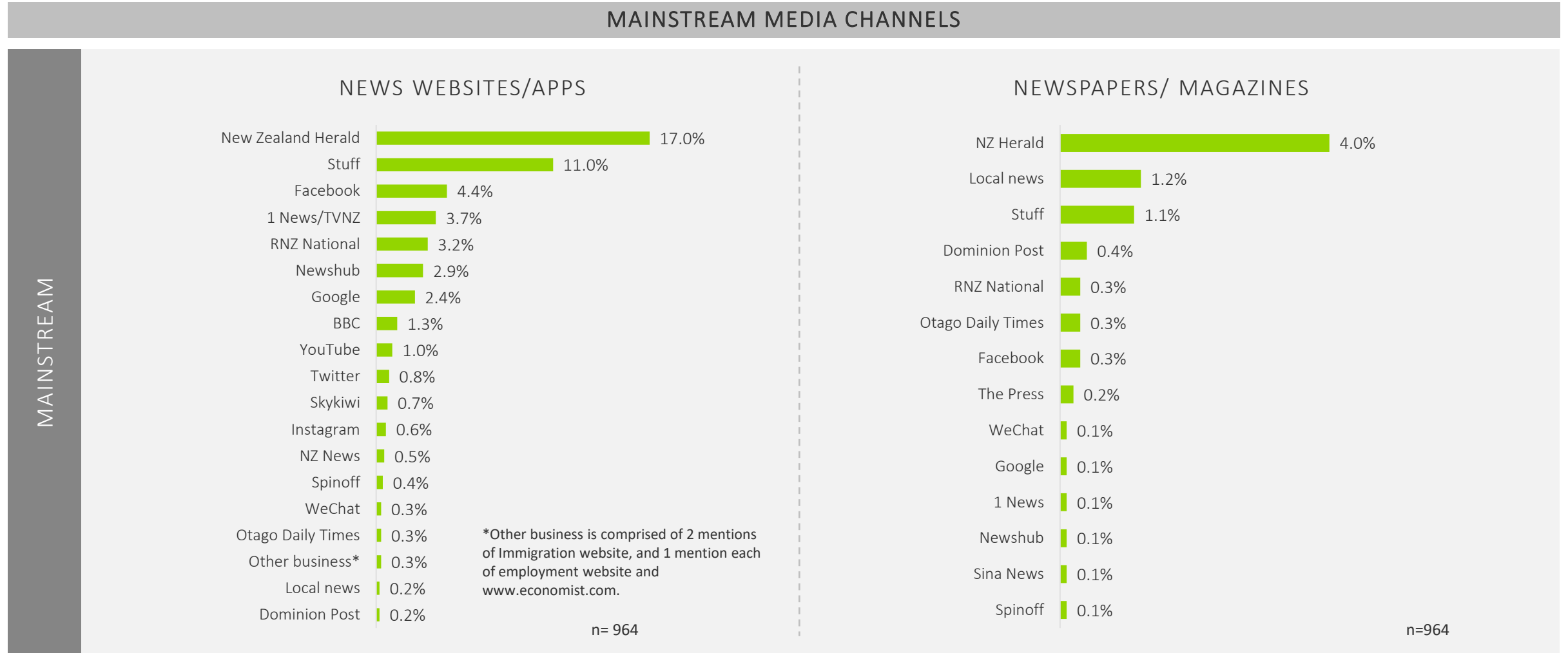
Respondents who indicated they listened to, watched, or read each of the media sources in the previous question for their own ethnic community (at least three hours per week), were then asked which specific channels, websites, apps, newspapers and magazines they use the most. The graph below shows the respondent defined sources used. Results are based on all migrant workers.

### ETHNIC MEDIA USED FOR AT LEAST THREE HOURS PER WEEK



\*Mentions of other ethnic news sources are noted in the appendix on page 163

Likewise, mainstream media channels consumed are shown below.



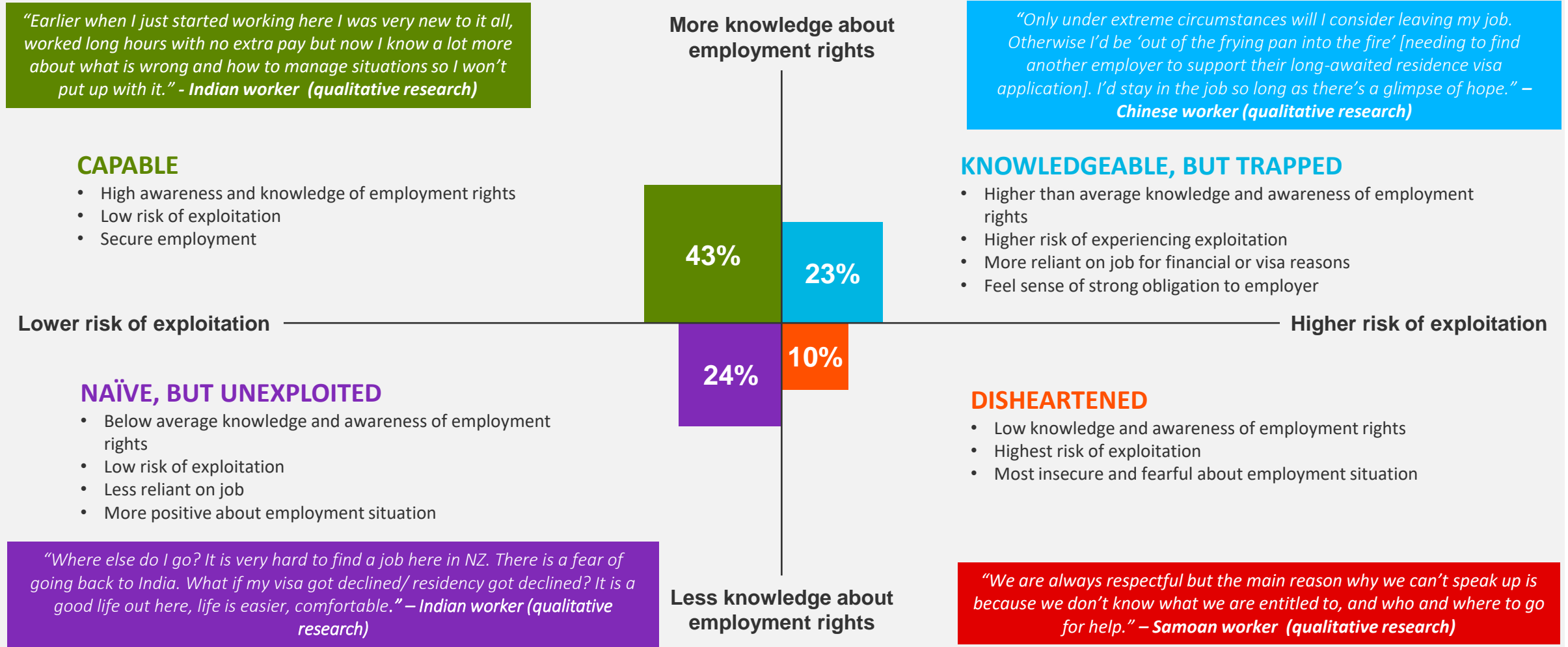
# What are the most at risk segments?

Around a third of migrant workers could be at higher risk of exploitation. Some are disheartened (10%) – with low knowledge and high insecurity. Others are more knowledgeable, but trapped in their employment situation (23%). These workers are less positive, less secure, more fearful and more isolated than other workers.

The segments cut across sectors, ethnicities and visa types, though there are some pockets (retail and hospitality sectors, employer supported and holiday visas, Chinese and South American migrants) where the potential for exploitation seems more pronounced.

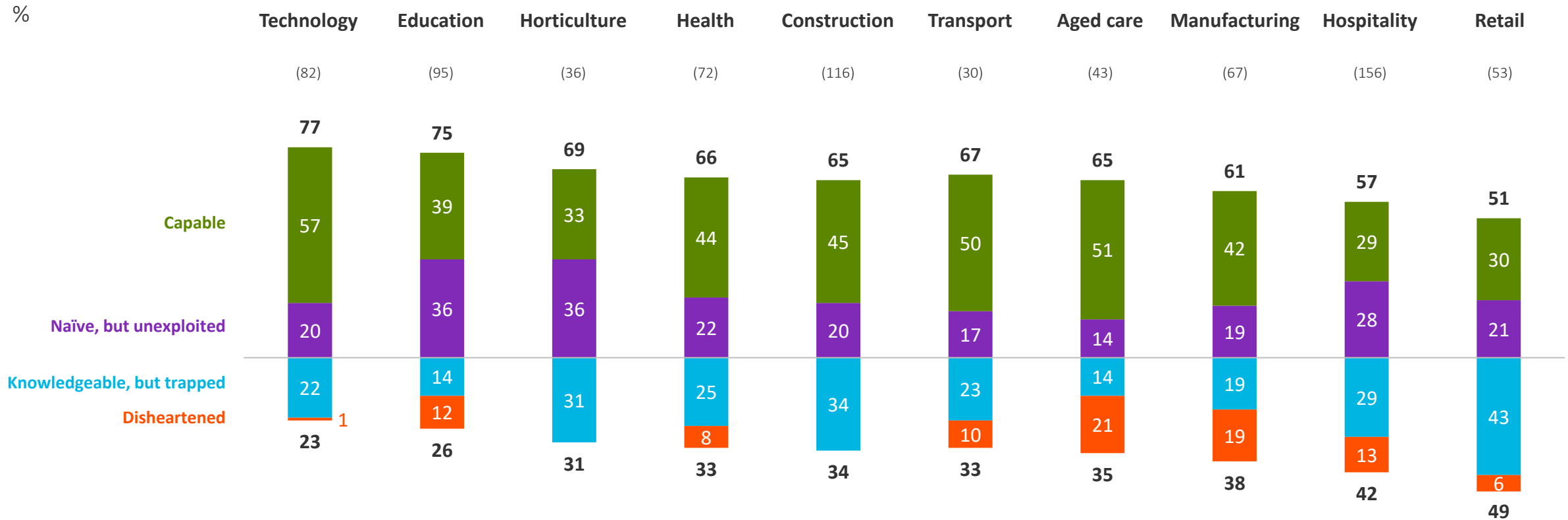
The already low commitment to speaking up is even lower amongst the most at risk (disheartened) group.

# Four groups of temporary migrant workers have been identified in this study.



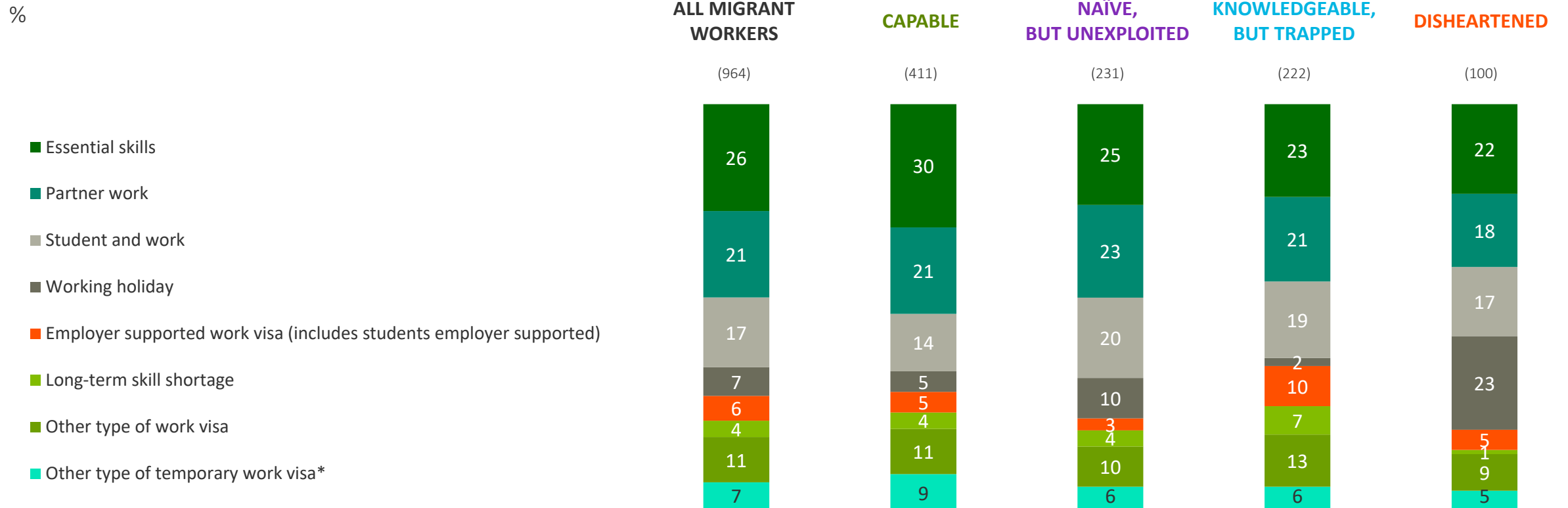
Horticulture, aged care, manufacturing and hospitality sectors have the highest proportions of *Disheartened* workers. *Knowledgeable but trapped* workers are especially prevalent in the retail, construction, hospitality and transport sectors.

PROFILE OF INDUSTRY BY MIGRANT WORKER SEGMENTS



Most workers in each segment are on an essential skills visa, partner work visa, or student and work visa. Working holiday visas are also common in the *Disheartened* segment.

PROFILE OF WORKER SEGMENTS BY VISA TYPE

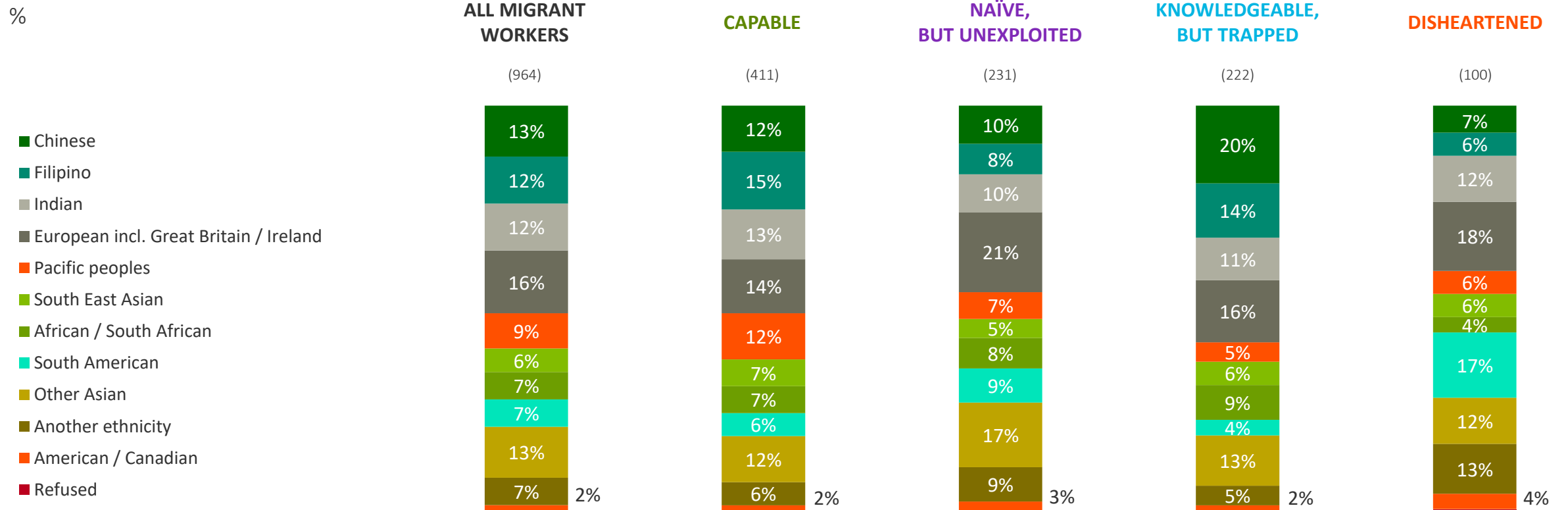


\*Other types of temporary work visa include Recognised Seasonal Employer visa, Migrant Exploitation Protection Work visa, Specific purpose visa



All segments consists of migrants from a range of ethnic groups. There are some differences: Chinese are especially common in the *Knowledgeable but trapped* segment, whereas South Americans are especially common in the *Disheartened* segment, and Europeans are common in the *Naïve but unexploited* segment. Filipino workers and Pacific workers are more common in the *Capable* segment compared to other segments.

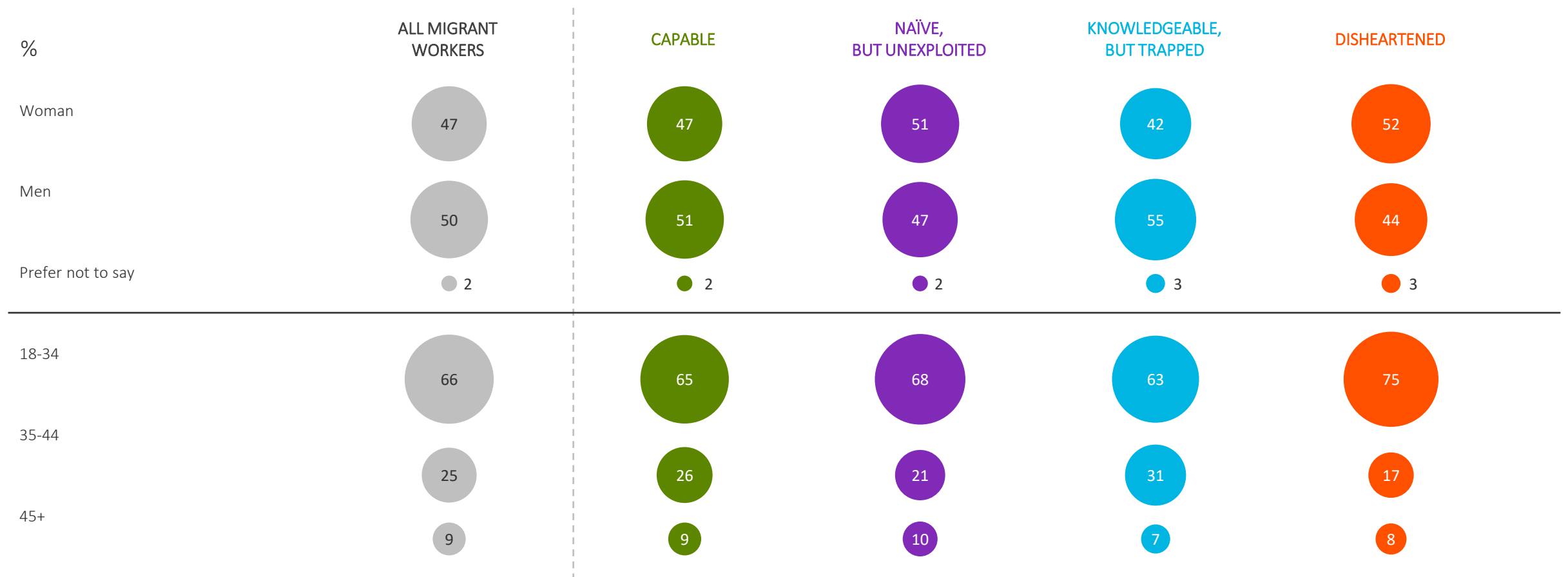
PROFILE OF WORKER SEGMENTS BY NATIONALITY



\*Other types of temporary work visa include Recognised Seasonal Employer visa, Migrant Exploitation Protection Work visa, Specific purpose visa

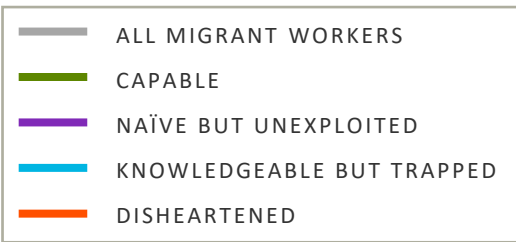
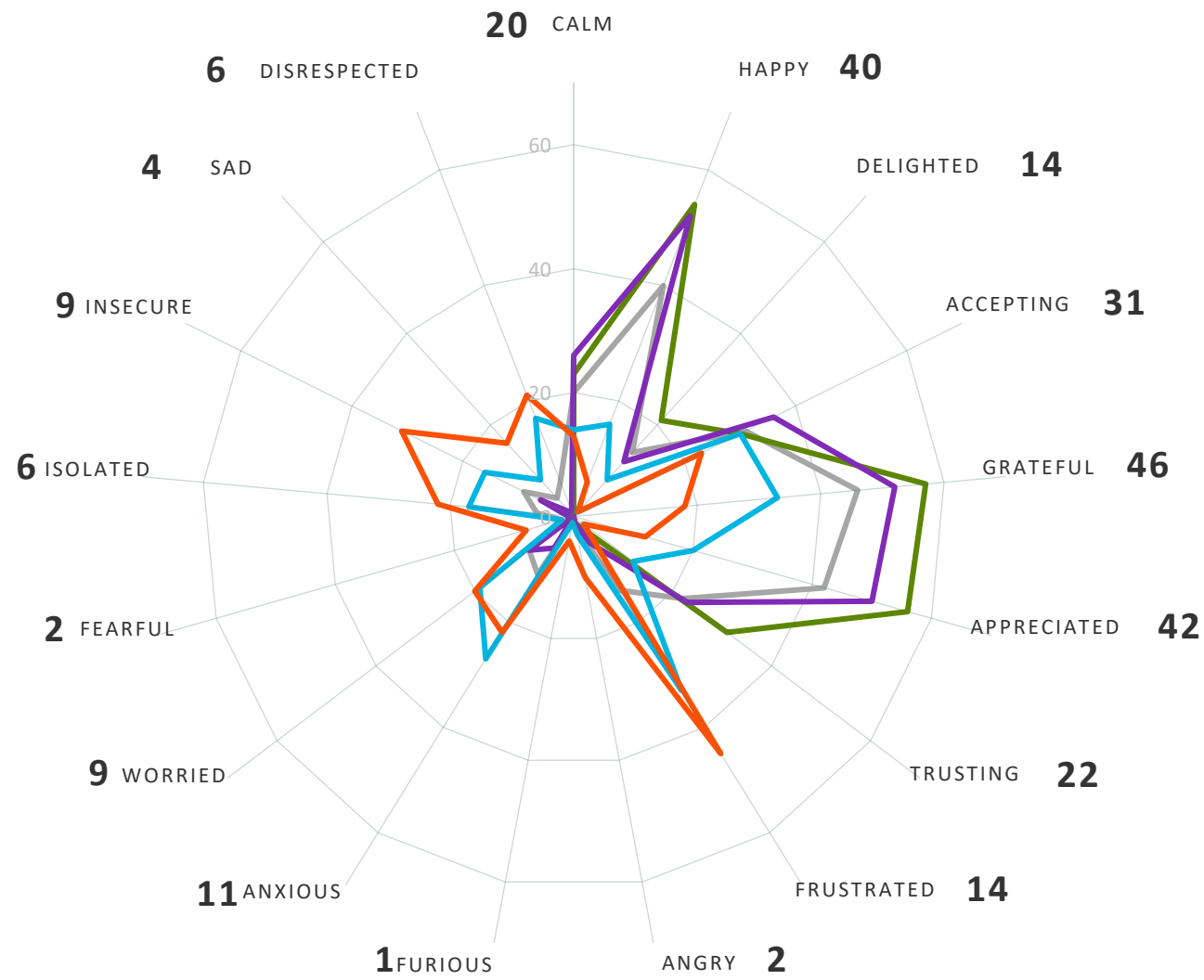
*Disheartened* are the youngest age group. While predominantly also young, the *Knowledgeable but trapped* segment has more workers aged over 35 than the other segments.

PROEILE OF WORKER SEGMENTS BY AGE AND GENDER



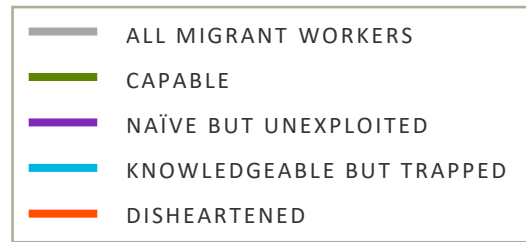
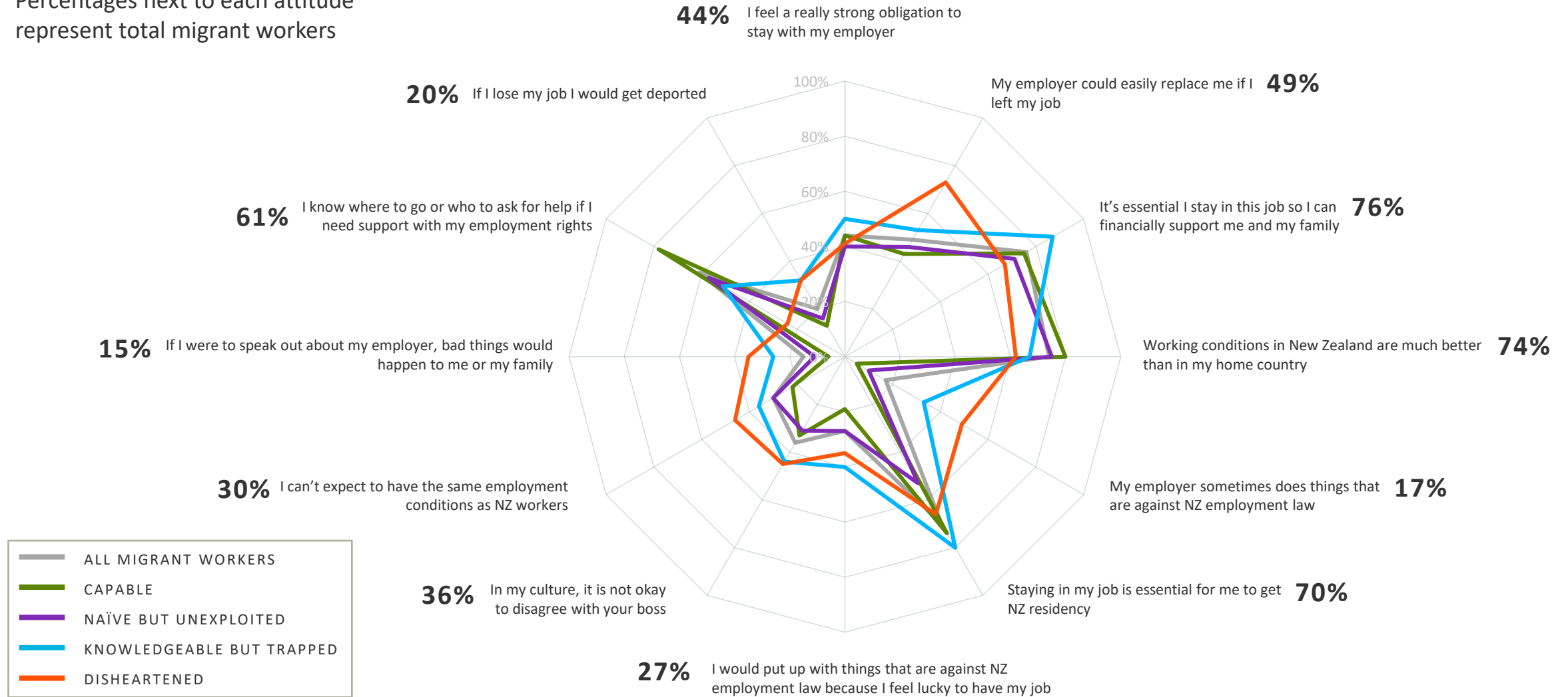
# PROFILE OF WORKER SEGMENTS BY EMOTIONS

Percentages next to each emotion represent total migrant workers



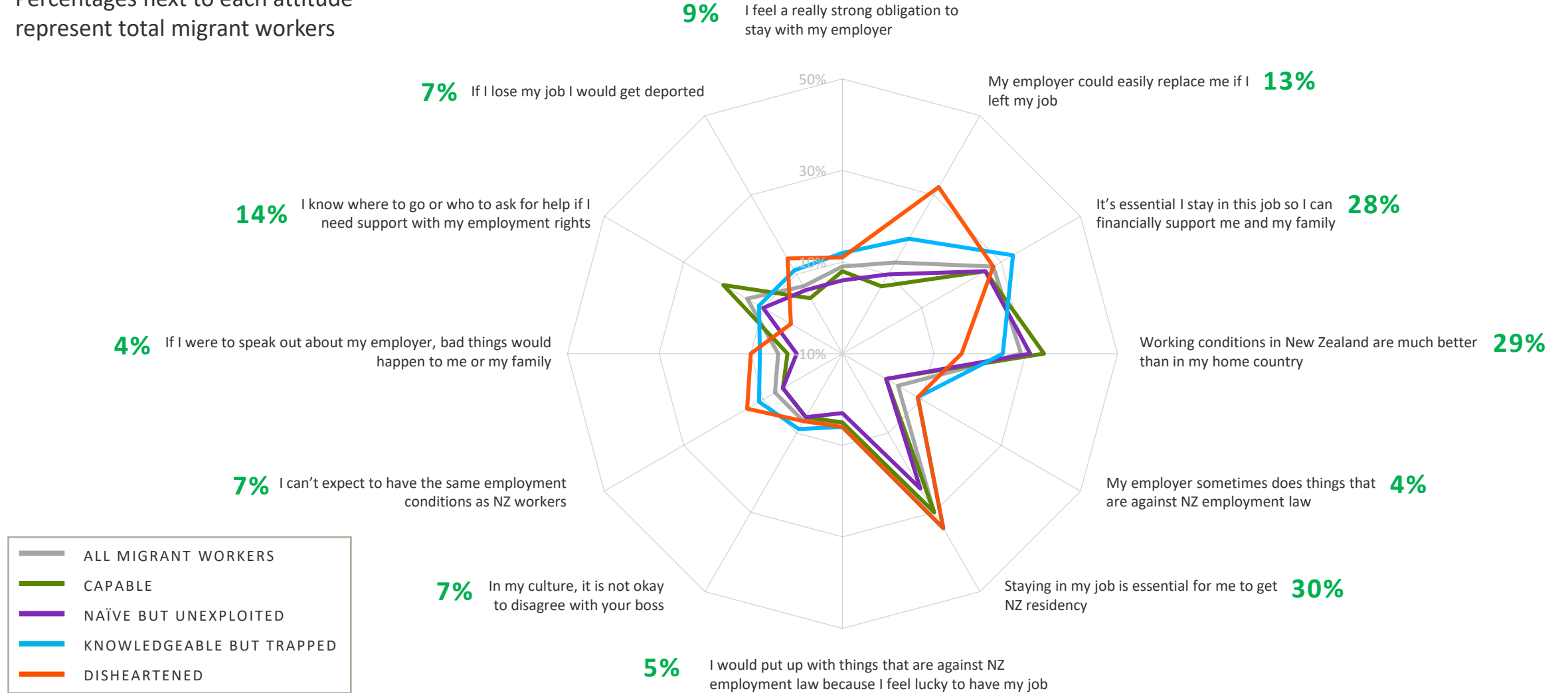
# ATTITUDINAL MARKERS OF VULNERABILITY TO EXPLOITATION – Strongly agree or agree

Percentages next to each attitude represent total migrant workers

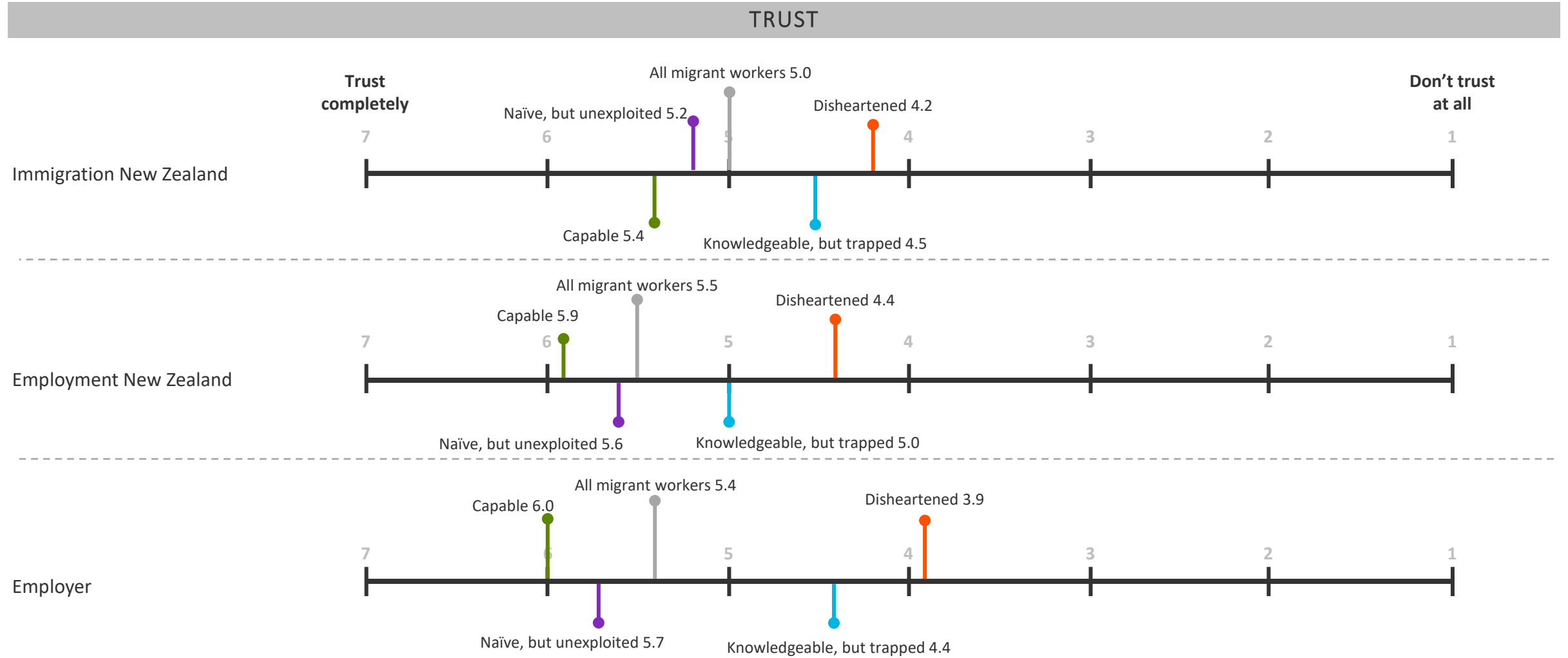


# ATTITUDINAL MARKERS OF VULNERABILITY TO EXPLOITATION – Strongly agree

Percentages next to each attitude represent total migrant workers

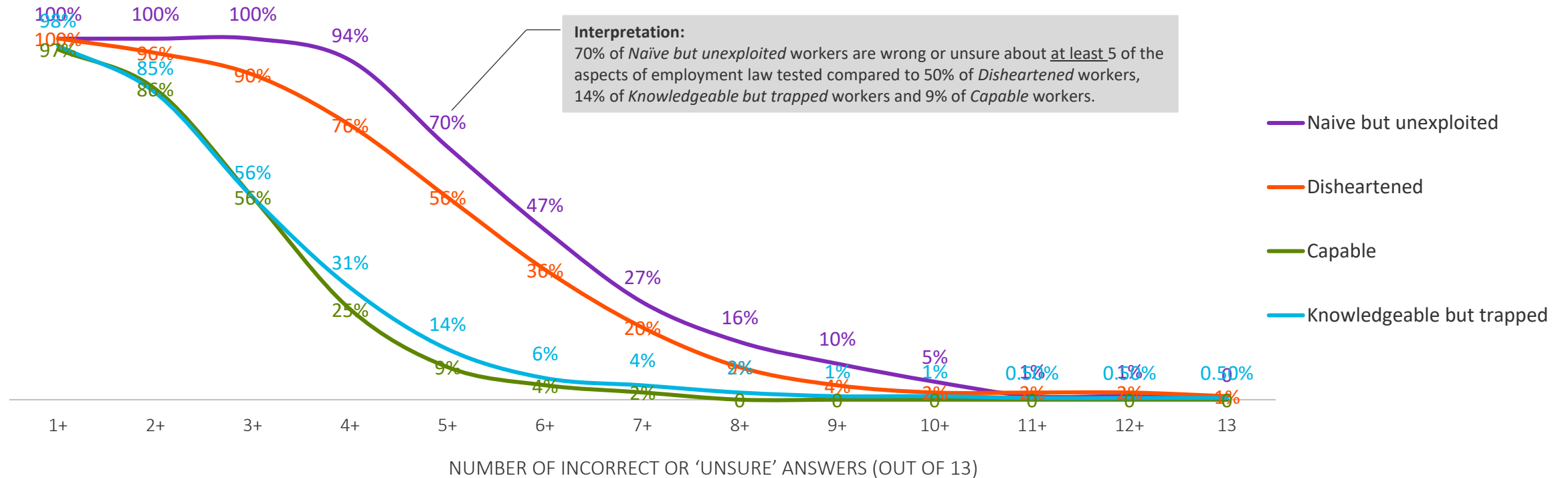


The two segments with higher risk of exploitation (*Disheartened* and *Knowledgeable but trapped*) hold less trust in Immigration NZ, Employment NZ, and their employer.



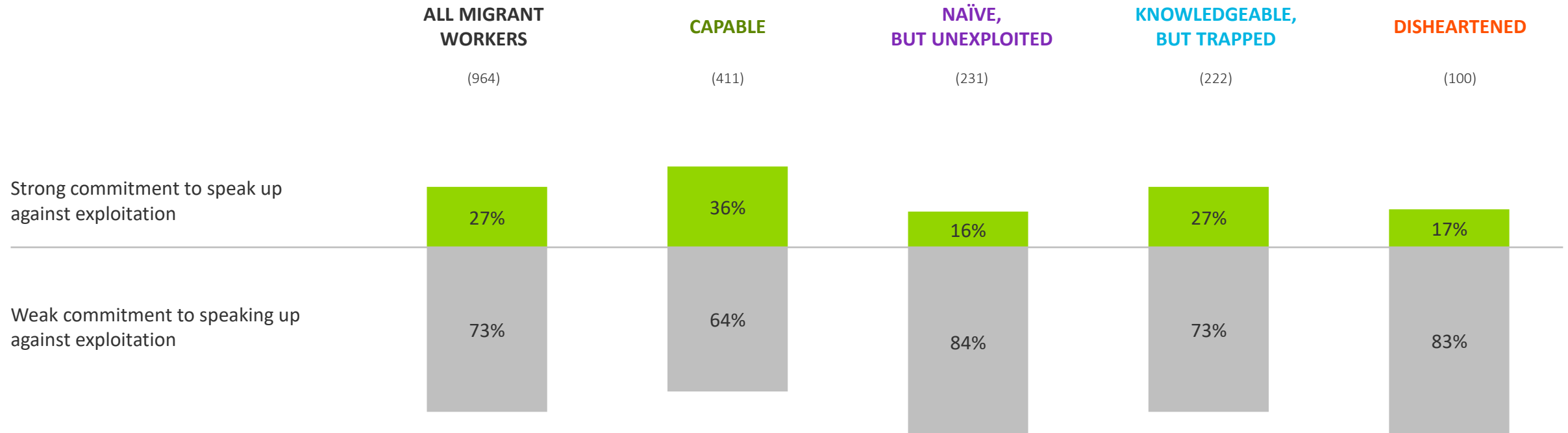
*Naive but unexploited* workers and *Disheartened* workers are more likely to have an incorrect understanding or are unsure about more aspects of the employment law than *Capable* or *Knowledgeable but trapped* workers.

NUMBER OF INCORRECT KNOWLEDGE OR UNSURETY ABOUT EMPLOYMENT RIGHTS BY SEGMENT



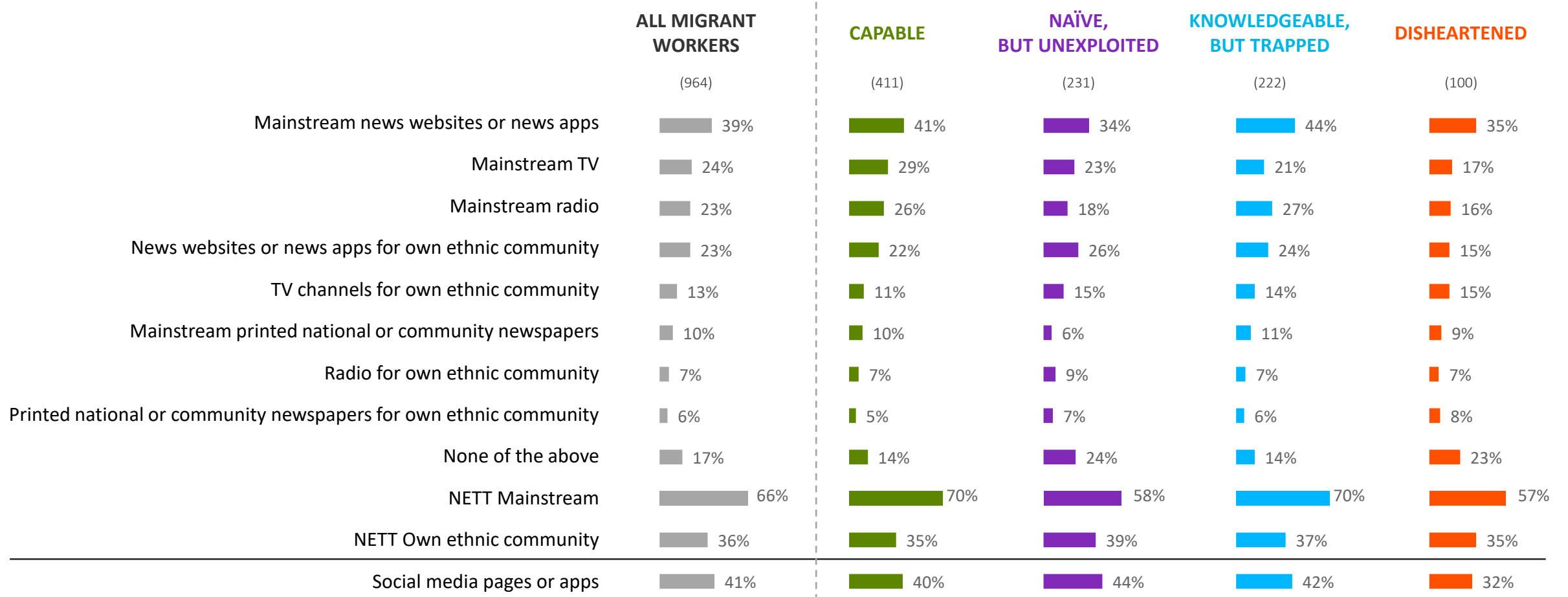
Despite being most at risk of exploitation, the *Disheartened* segment's commitment to speaking up about their exploitation is especially weak. Relatively few workers in all segments display a strong commitment to speaking up. However, *Capable* workers are more likely than other segments to do so.

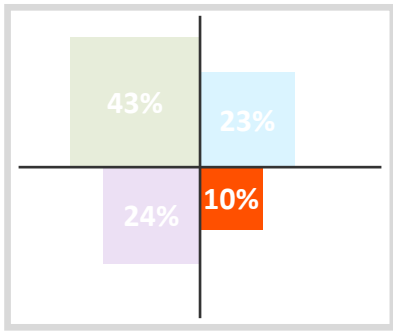
SEGMENTS' COMMITMENT TO SPEAKING UP ABOUT EXPLOITATION





The *Disheartened* segment consumes less media (including social media) than the other segments.



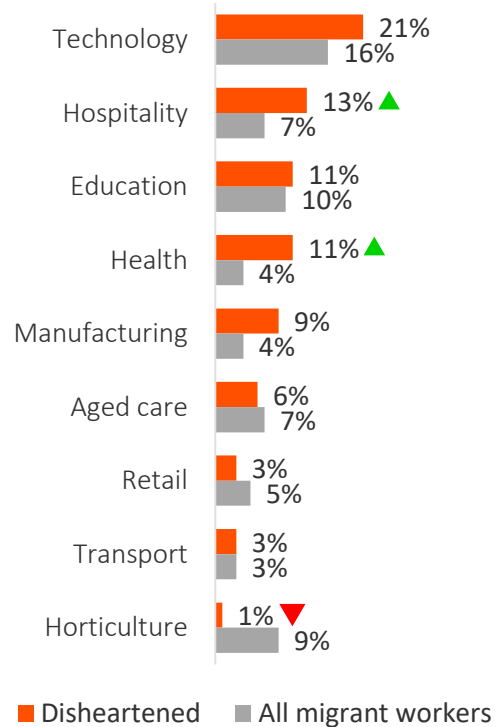


**DISHEARTENED** are at most risk of being exploited. They have little understanding of their employment rights, are unlikely to speak up about mistreatment and feel unhappy with their employment situation

*“Isn’t it [negative work experiences] part of the price to pay for growing up?” – Chinese worker (qualitative research)*

*“I don’t think complaints are investigated and that action against employers are taken.” – Samoan worker (qualitative research)*

### EMPLOYMENT SITUATION



- Very low satisfaction with employment situation (only 29% are satisfied).
- Have the greatest concerns with employment of any segment (87% cited at least one concern). They say they are paid less than NZ colleagues (26%), don’t have breaks (16%), face racism at work (28%), and are not paid for all the hours they work (13%). 4% had to pay a fee to get their job.
- Skew to feeling frustrated (45%), insecure (31%), anxious (22%), isolated (22%), disrespected (21%), and worried (20%) about their employment situation.

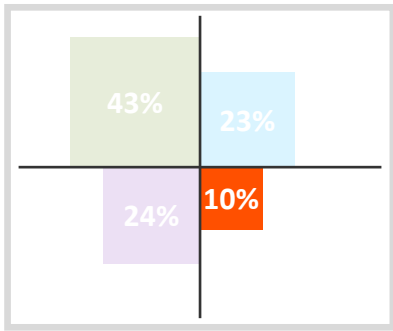
### KNOWLEDGE AND UNDERSTANDING

- Rate themselves the lowest for their understanding of employment rights (58% say they only know ‘a little bit’ or nothing at all).
- Over half (56%) lacked correct understanding of five more the aspects of employment law tested.
- More likely than average to have found useful employment information on social media (27%, compared to 18% of all migrant workers).
- One in four find it difficult to find employment information online.
- Less likely to find INZ and ENZ websites useful sources of information.
- Low awareness of migrant exploitation protection work visa (19%).

### HIGHEST RISK OF EXPLOITATION



- Most likely to have an employer who does things that are against employment law (48%).
- 5% say they are paid less than \$20 per hour (since April 2021).
- Most likely to think they can’t expect the same rights as New Zealanders (45%).
- Believe bad things would happen to them or their family if they spoke up (32%).
- Fears of being deported if they lost their job (29%).
- Don’t know where to go if they needed help (24%).
- Least likely to have close family or relatives living in NZ (27%).



**DISHEARTENED** are at most risk of being exploited. They have little understanding of their employment rights, are unlikely to speak up about mistreatment and feel unhappy with their employment situation

*"Isn't it [negative work experiences] part of the price to pay for growing up?" - Chinese worker (qualitative research)*

*"I don't think complaints are investigated and that action against employers are taken." - Samoan worker (qualitative research)*

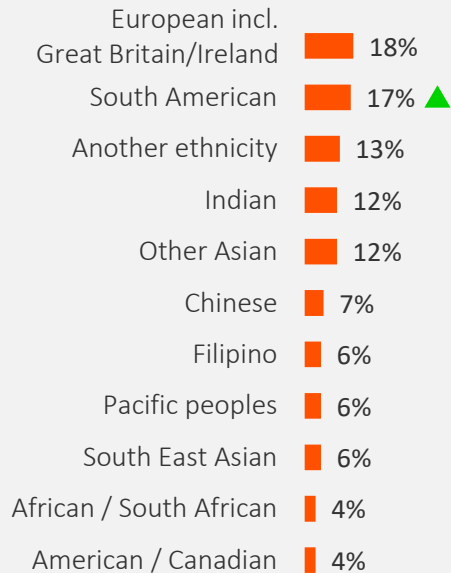
**DEMOGRAPHICS**



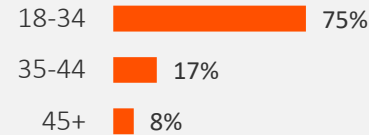
**GENDER**



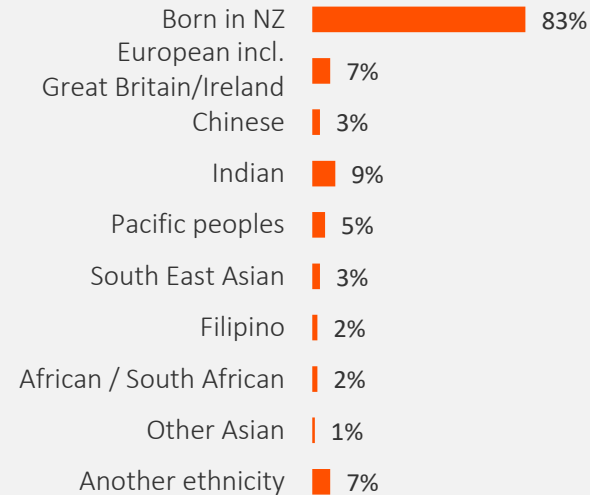
**WORKER NATIONALITY**



**AGE**

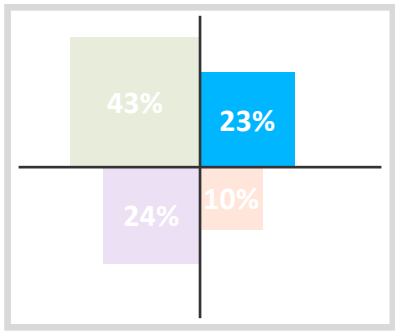


**EMPLOYER NATIONALITY**



**STATUS**

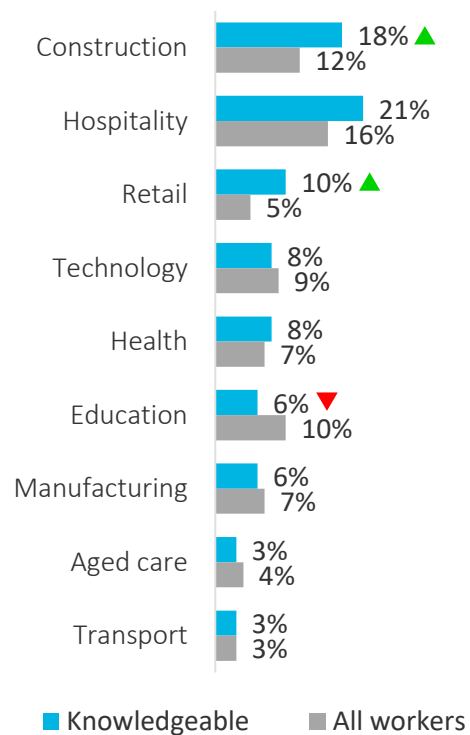
- Skew to being on working holiday visas (23%, vs 6% of other segments). Similar proportion (22%) on Essential skills visa.
- Reasons for coming to NZ reflect the same pattern as seen among all migrants. Half came here for a better quality of life.



**KNOWLEDGABLE, BUT TRAPPED** have a good understanding of their employment rights. However they are more reliant on their employment and at risk of exploitation.

*"I need to know my rights before I can say no." – Chinese worker (qualitative research)*

### EMPLOYMENT SITUATION



- Most (72%) have at least one concern about their employment. Most common concerns are being paid less than NZ colleagues (23%), not having breaks (14%), racism (14%), and not being paid for all hours worked (12%).
- Most likely to have found job online (59%).
- Low satisfaction with employment (43%)
- Feel frustrated (33%), anxious (27%), worried (19%), insecure (16%), isolated (17%) and disrespected (17%) – much more so than the two unexploited segments.

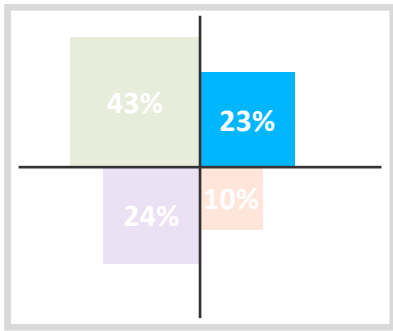
### KNOWLEDGE AND UNDERSTANDING

- Rate themselves below average for understanding employment rights (54%, compared to 62%,) but do have a good understanding of employment rights when tested. Average of 10 out of 12 correct answers.

### HIGHER POTENTIAL FOR RISK OF EXPLOITATION



- The segment most likely not to have a written employment contract (7%, compared to 3%).
- 3% say they are paid less than \$20 per hour (since April 2021).
- Need the job to financially support themselves and family (85%).
- Need their job for NZ residency (75%).
- Less likely to know where to go for help (50%, vs 61% on average).
- Cultural factors at play – 49% feel a strong obligation to stay with their employer, and 43% say it is not okay to disagree with your boss.
- A third say their employer breaks employment laws, and 38% say they would put up with things that are against employment law (38%).
- 31% would get deported if they lost their job.
- 25% say bad things would happen if they spoke out against their employer.



**KNOWLEDGABLE, BUT TRAPPED** have a good understanding of their employment rights. However they are more reliant on their employment and at risk of exploitation.

*"I need to know my rights before I can say no." – Chinese worker (qualitative research)*

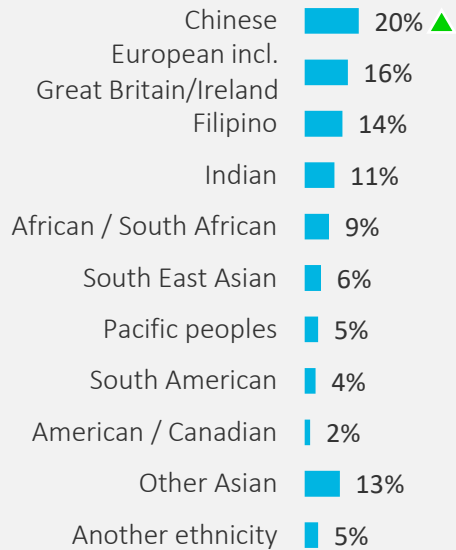
**DEMOGRAPHICS**



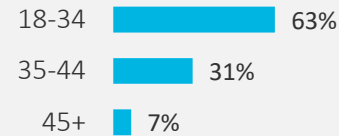
**GENDER**



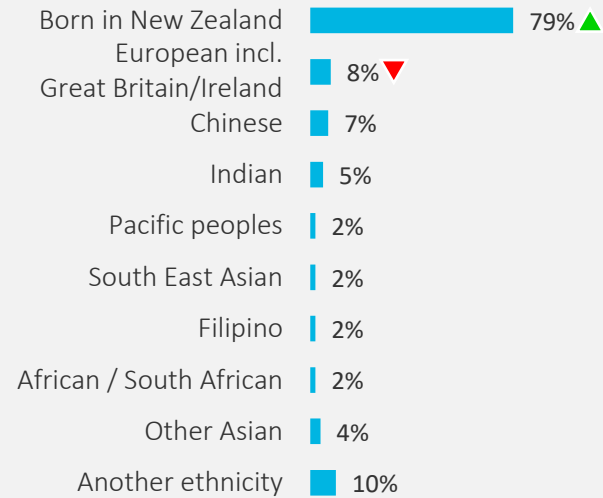
**WORKER NATIONALITY**



**AGE**

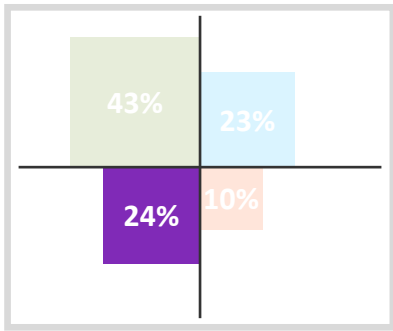


**EMPLOYER NATIONALITY**



**STATUS**

- Range of visa types.
- Slight skew to being in New Zealand for residency or citizenship (32%, vs 25% other segments)
- Less likely to have come here for a NZ education or qualification (16%, vs 23% other segments)
- Skew to having been in NZ for more than 3 years (55%).

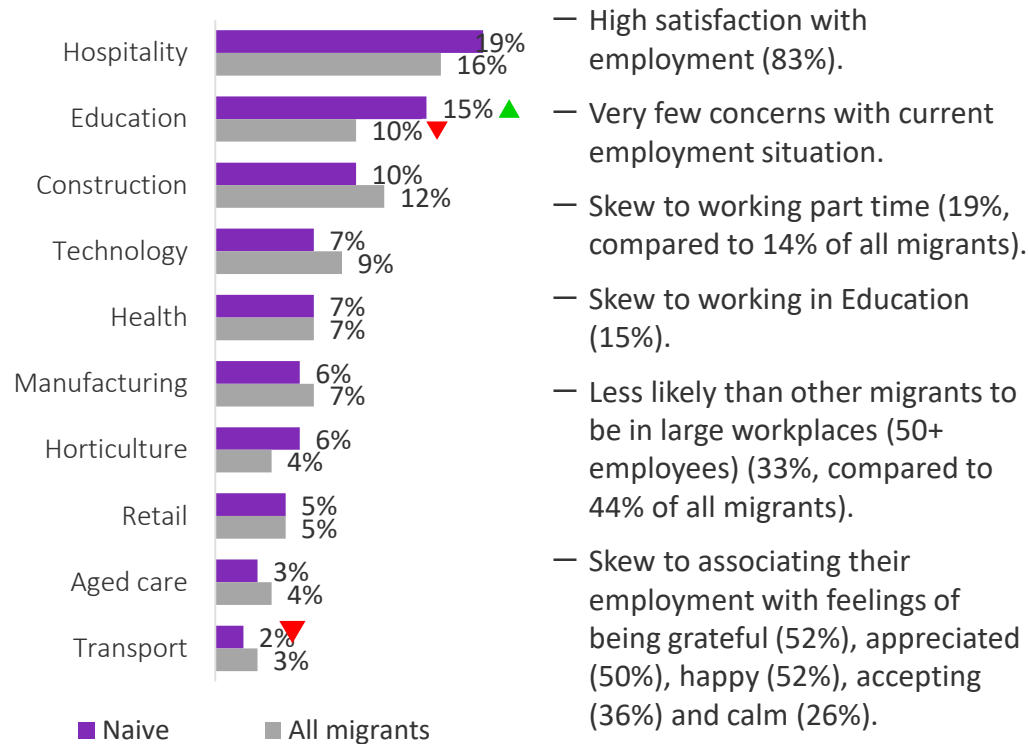


# NAIVE, BUT UNEXPLOITED know less about their employment rights, but are also less vulnerable to exploitation and happier with their employment situation

*“We are respectful and do not want to question a lot of things that are happening, until we are asked.” – Samoan worker (qualitative research)*

*“Where do I go to make a complaint? Would it work? Will my boss find out about it? What are the consequences for me? What do I do if I lose the job? Go back to China? My family is here, I’d have to start all over again if I went back.” – Chinese worker (qualitative research)*

## EMPLOYMENT SITUATION



## KNOWLEDGE AND UNDERSTANDING

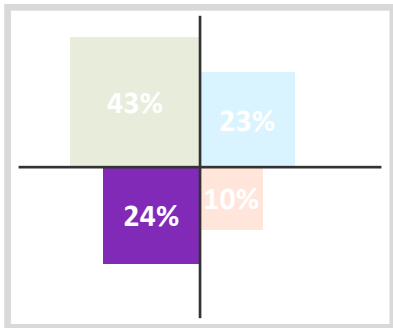
- Below average self-rating for understanding their employment rights (50%, compared to 62% of all migrants).
- Know the least about employment rights when tested (average of only 7 correct answers out of 12)
- Less likely to be searching online for employment rights (52%, vs 62% of all migrant workers).
- Lowest awareness of the migrant protection work visa (14%).

## LOWER RISK OF EXPLOITATION



Less likely than average to:

- Need job for financial reasons (64%, compared to 72%)
- Need job for residency (47%, compared to 64% of all migrant workers)
- Say they have an employer who does things that are against employment law (9%, compared to 17%).



# NAIVE, BUT UNEXPLOITED know less about their employment rights, but are also less vulnerable to exploitation and happier with their employment situation

*“We are respectful and do not want to question a lot of things that are happening, until we are asked.” – Samoan worker (qualitative research)*

*“Where do I go to make a complaint? Would it work? Will my boss find out about it? What are the consequences for me? What do I do if I lose the job? Go back to China? My family is here, I’d have to start all over again if I went back.” – Chinese worker (qualitative research)*

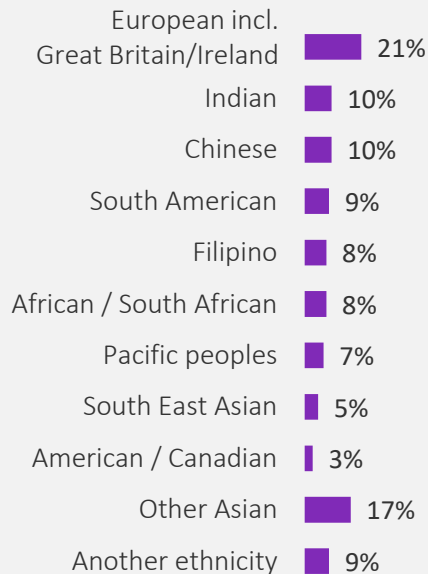
## DEMOGRAPHICS



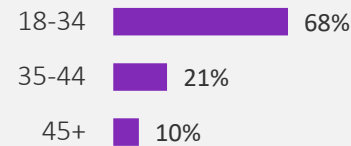
### GENDER



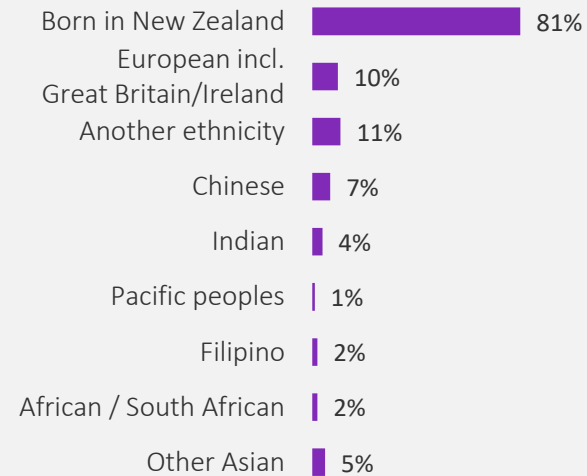
### WORKER NATIONALITY



### AGE

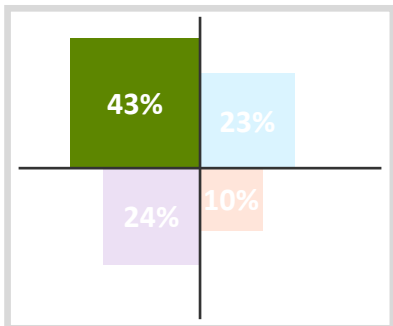


### EMPLOYER NATIONALITY



### STATUS

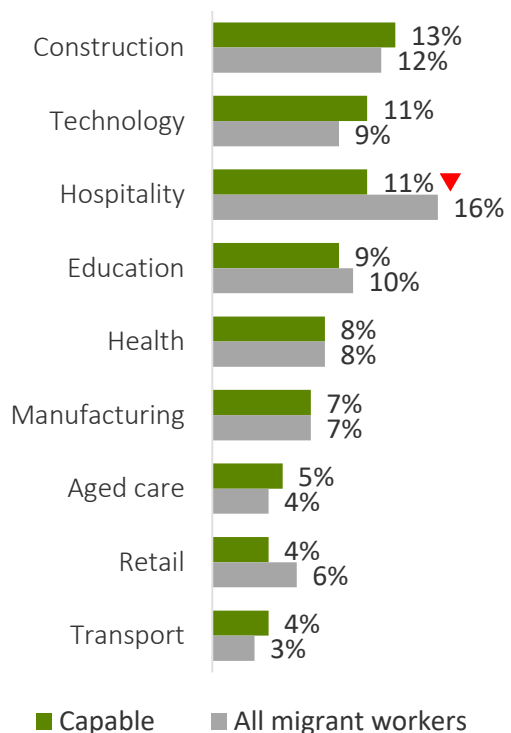
- Most migrants in this segment are on Essential Skills visas (25%), Partner Work visas (23%) or Student and Work visas (20%).
- Last arrived in NZ more recently (56% 1-2 years ago) than the segments who know more about their employment rights.



**CAPABLE** know their employment rights, are not exploited and know where to get help if they need it.

*“I will contact the Immigration advisor and confirm if I am being exploited and gain clarity about which of my rights was not given to me. After this I will get information about what support is available from government agencies to help fight my case.” – Indian worker (qualitative research)*

### EMPLOYMENT SITUATION



- Very high satisfaction with employment (93%).
- No concerns with current employment situation (0%).
- Skew to working 31-40 hours a week (62%).
- Skew to knowing they are paid above minimum wage (88% vs 74% of other segments).
- Industry profile very similar to the profile of all migrant workers (except fewer in hospitality).
- Skew to working in workplaces with 50 or more employees (50%).
- Skew to associating their employment with feelings of being grateful (57%), appreciated (56%), happy (54%), and trusting (31%).
- Their employer is more likely to be born in New Zealand (67%).

### KNOWLEDGE AND UNDERSTANDING

- Rate themselves highly for understanding their employment rights (78% well or very well).
- Strong understanding of employment rights. Average of 10 correct answers out of 12 when tested.
- Highest awareness of the migrant protection work visa (36%).
- More committed to speaking up compared to other segments (36% vs 21%).
- Most (78%) know where to go or who to ask for help if they need support with their employment rights.

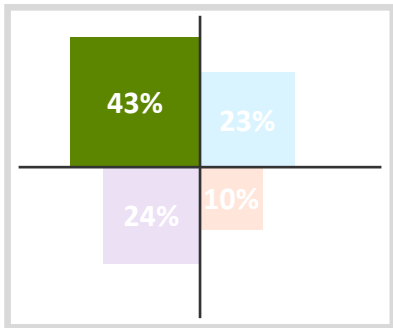
**VERY LOW RISK OF EXPLOITATION**



#### Capable workers are secure in their employment:

- They don't feel they could be easily replaced if they left their job..
- They don't put up with things that are against employment law.
- Are not at risk of deportation if they lost their job.
- Don't have an employer who does things that are against employment law .
- Don't feel bad things would happen to them if they spoke up.
- They are grateful for their job and are likely to feel working conditions are better in New Zealand, and that they need their job for NZ residency.





**CAPABLE** know their employment rights, are not exploited and know where to get help if they need it.

*"I will contact the Immigration advisor and confirm if I am being exploited and gain clarity about which of my rights was not given to me. After this I will get information about what support is available from government agencies to help fight my case." – Indian worker (qualitative research)*

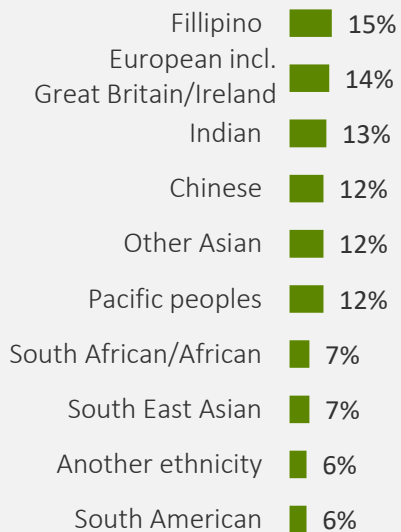
**DEMOGRAPHICS**



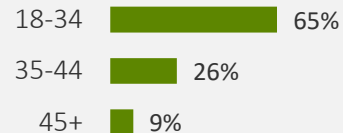
**GENDER**



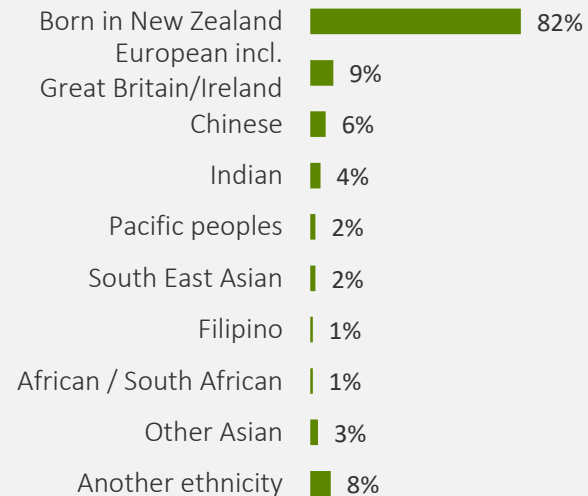
**WORKER NATIONALITY**



**AGE**



**EMPLOYER NATIONALITY**



**STATUS**

- Most common visa types are Essential Skills visa (30%) and Partner Work visas (21%).
- 56% came to NZ for a better quality of life.
- More likely than other segments to have close family or relatives in New Zealand (45%, vs 37%) .
- Skew towards having been in NZ for 3 years or longer (54%).

# Employer results



**KANTAR PUBLIC**



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

# What do employers know about their employment obligations?

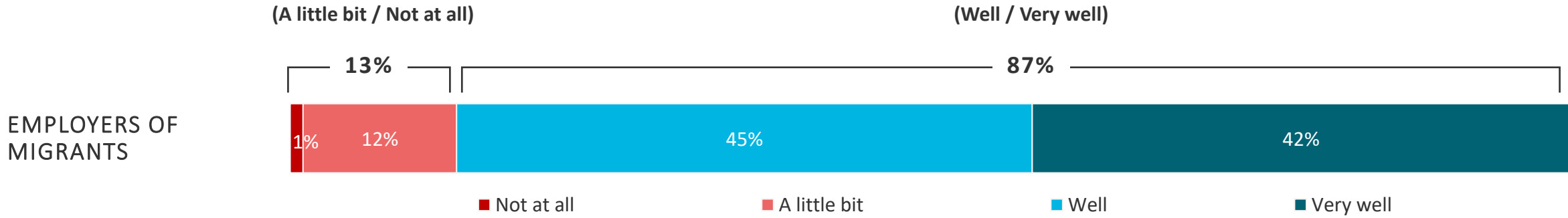
**Most employers believe that they have a fairly good understanding of their employment obligations and most migrant employers we surveyed seemed to have a good understanding of employment law. However, knowledge of the minimum wage is lower than it should be.**

**Few employers are aware of the Migrant Exploitation Work Visa.**

Around one in eight employers of migrants acknowledge they only know ‘a little bit’ or ‘nothing at all’ about employment rules and regulations in New Zealand. Small employers and Pacific employers are especially likely to rate their understanding poorly.

SELF-RATING OF UNDERSTANDING OF EMPLOYMENT RULES AND REGULATIONS

- Lack of understanding is higher among:
- Small employers (19% of businesses with 1 to 5 employees)
  - Employers in Health (20%), Transport (21%) and Technology (28%)
  - Pacific employers (32%)
  - Men (16% vs 9% of women)

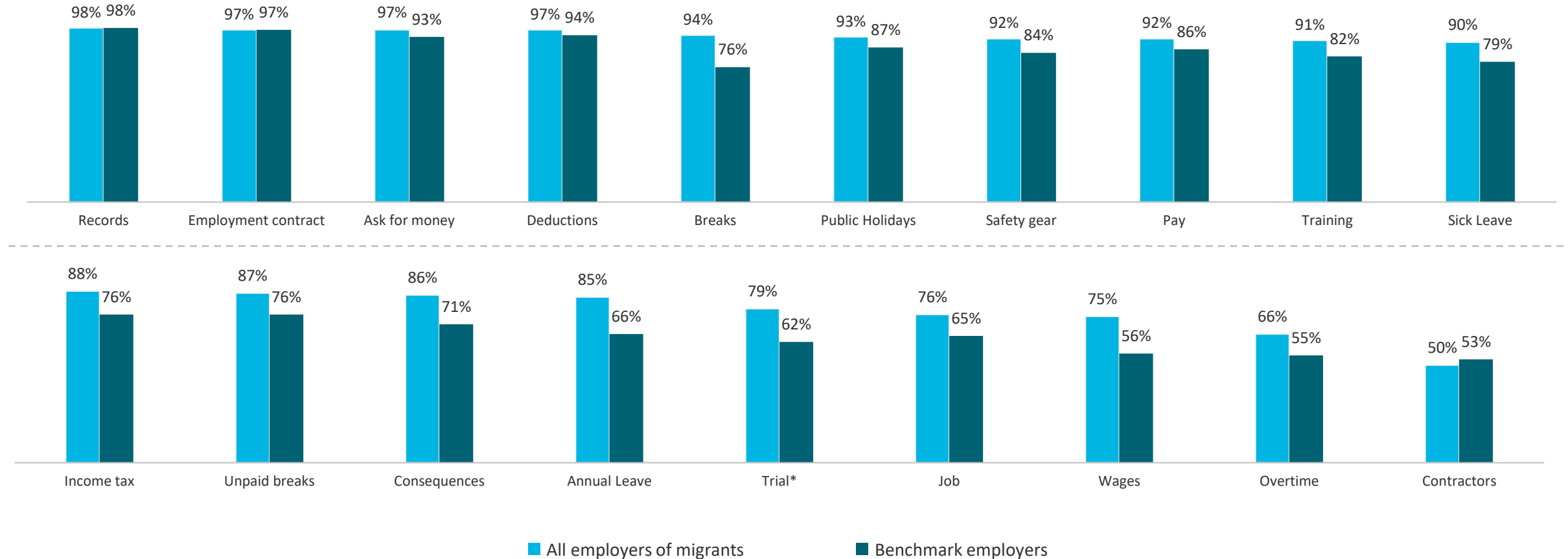


We showed employers a range of employment obligations, and they indicated which they thought were correct and which were incorrect. We also asked employers of migrants to tell us the adult minimum wage.

Employment right / regulation	Right Answer
<b>Annual leave:</b> Employees have the right to at least 20 days annual leave after one year into the job	Correct
<b>Public holidays:</b> If an employee works on a public holiday and it would normally have been one of their working days	Correct
<b>Employment contract:</b> Employers must provide the employee with a copy of the employment contract (agreement) before they start their job	Correct
<b>Consequences:</b> Employers caught exploiting or mistreating migrant workers can be banned from hiring migrants in the future	Correct
<b>Training:</b> Employers need to pay employees when they are being trained for the job	Correct
<b>Contractors:</b> Contractors don't have the same rights as employees	Correct
<b>Sick Leave:</b> After working for six months for an employer, an employee has the right to <b>10 days sick leave per year</b>	Correct
<b>Records:</b> Employers must keep records of employee wages, hours of work, leave (sick, annual, etc) and deductions	Correct
<b>Unpaid breaks:</b> All breaks are <b>unpaid</b> (i.e. morning tea, lunch, afternoon tea)	Incorrect
<b>Trial:</b> A <b>90-day trial period</b> can be added to the employment contract after the employee starts working (ONLY SHOWN TO EMPLOYERS WITH LESS THAN 20 EMPLOYEES)	Incorrect
<b>Ask for money:</b> An employer can ask for money from a potential worker to give the worker a job	Incorrect
<b>Safety gear:</b> <b>Employees</b> must pay for their own health and safety equipment	Incorrect
<b>Wages:</b> An employer can ask a worker to half a day without pay if they are asked to show their skills before they are employed	Incorrect
<b>Job:</b> An employer can employ a migrant as a chef, but have them work as a waiter.	Incorrect
<b>Deductions:</b> An employer can make deductions from an employee's wages or salary for any reason they want to without their consent.	Incorrect
<b>Income tax:</b> An employer can ask a worker to pay for their own income tax to the Inland Revenue	Incorrect
<b>Breaks:</b> People who work in stores, cafes and restaurants are NOT allowed to have rest breaks if they are too busy	Incorrect
<b>Overtime:</b> An employer does NOT need to pay a salaried worker overtime if they work a lot of extra hours	Incorrect
<b>Pay:</b> It is OK for employers to pay New Zealanders more than a migrant who is doing the same job because the New Zealander is a citizen of New Zealand	Incorrect

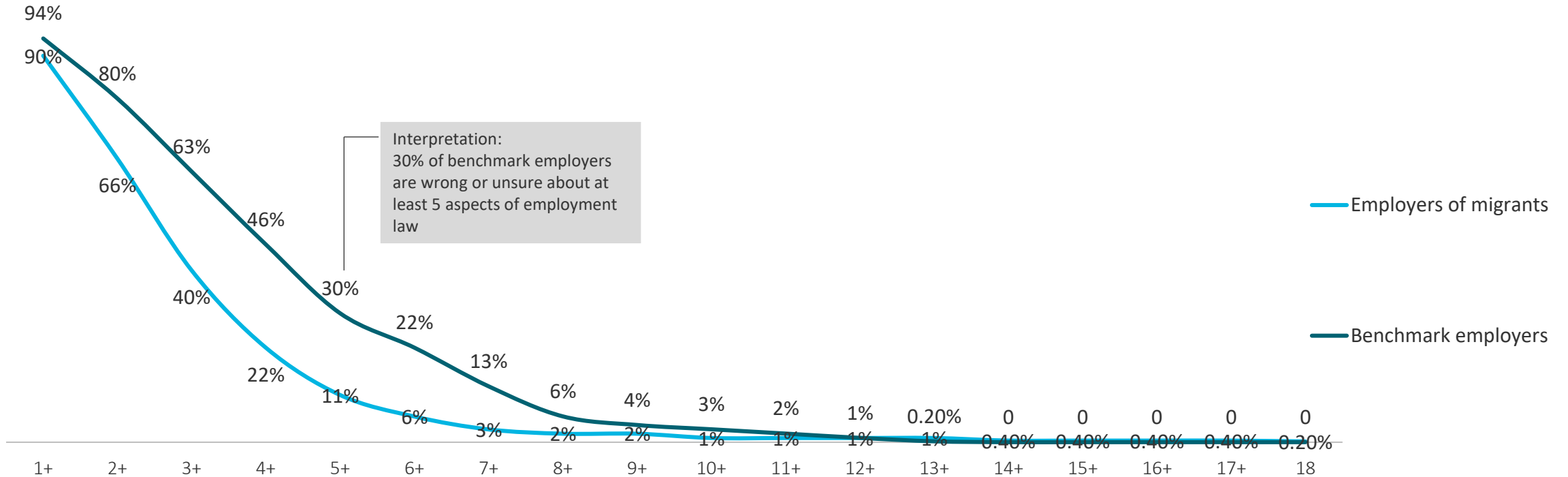
Correct understanding of employment law is highest in regard to employee records, employment contracts, the illegality of the employer asking for money in exchange for a job or making deductions without the worker's consent.

LEVEL OF CORRECT UNDERSTANDING OF EMPLOYMENT LAW



Benchmark employers are more likely to lack knowledge than employers of migrants. This may relate to the person in the business surveyed, i.e. any manager in the business was eligible to take part in the benchmark survey whereas the named contact on the MBIE supplied lists was surveyed in the survey of employers of migrants.

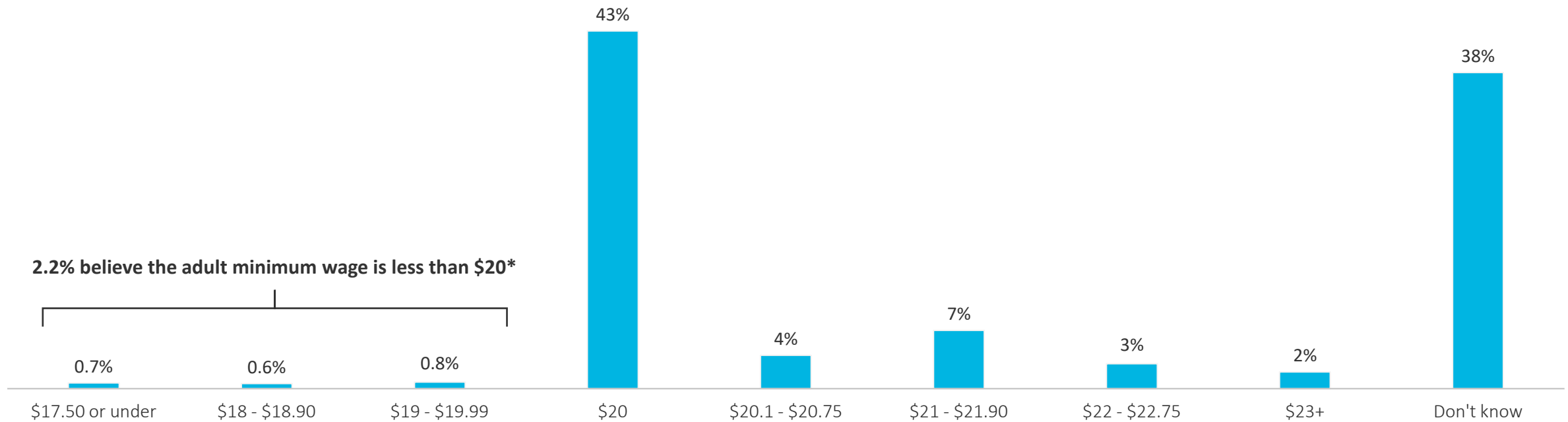
NUMBER OF INCORRECT KNOWLEDGE OR UNSURETY ABOUT EMPLOYMENT RIGHTS (CUMULATIVE DATA)



NUMBER OF INCORRECT OR 'UNSURE' ANSWERS (OUT OF 18)

Less than half of employers of migrants know the adult minimum wage. Many are unsure, and 2% believe it to be lower than the actual minimum wage.

### AWARENESS OF ADULT MINIMUM WAGE



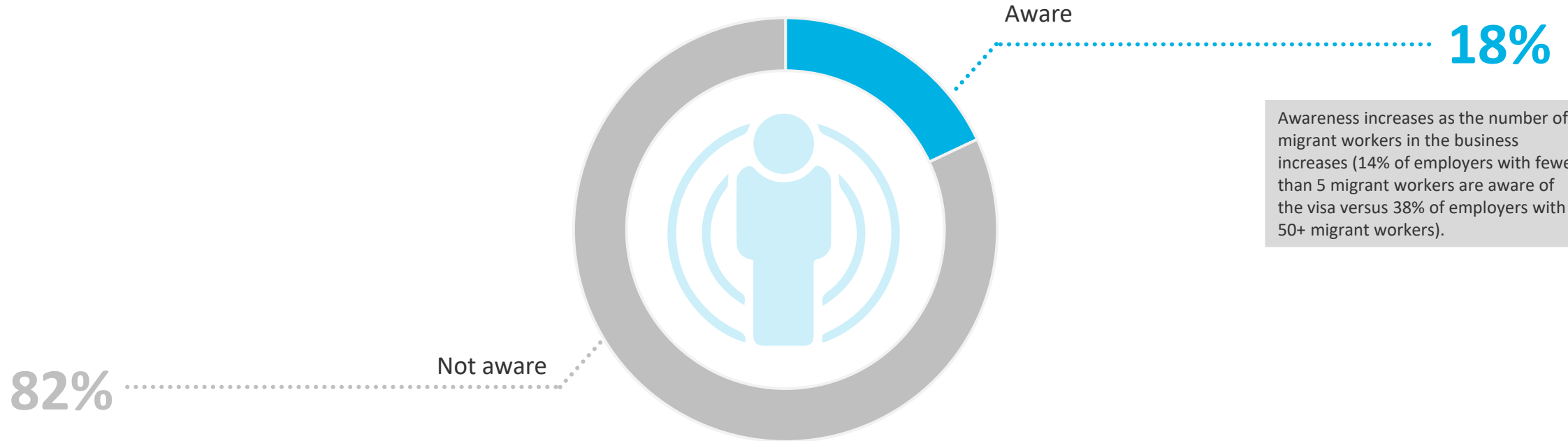
\* An additional 28 respondents answered '2'. They have been excluded from the chart as it is likely they had accidentally omitted the '0'



Awareness of the migrant exploitation work visa is low among employers of migrants (less than one in five).

AWARENESS OF MIGRANT EXPLOITATION WORK VISA

ALL EMPLOYERS OF MIGRANTS



Awareness increases as the number of migrant workers in the business increases (14% of employers with fewer than 5 migrant workers are aware of the visa versus 38% of employers with 50+ migrant workers).

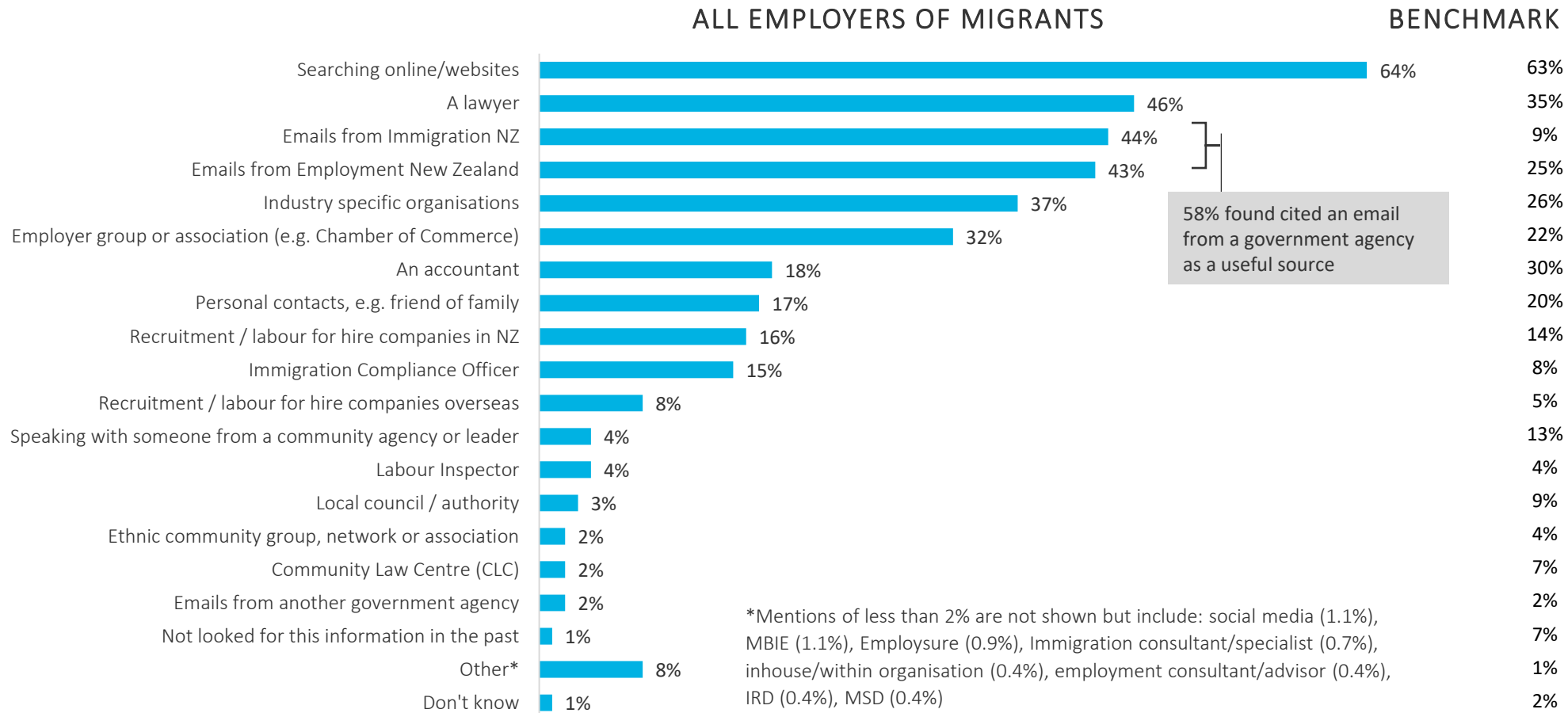
# How do employers find out about their employment obligations?

Many employers search for information online, though lawyers and official emails are also key channels. Use of the government websites is reasonably high (though lower than that for migrants), with [Employment.govt.nz](http://Employment.govt.nz) being the most visited and useful.



# Online searching, lawyers and government agencies are the most common sources of useful information about employment law.

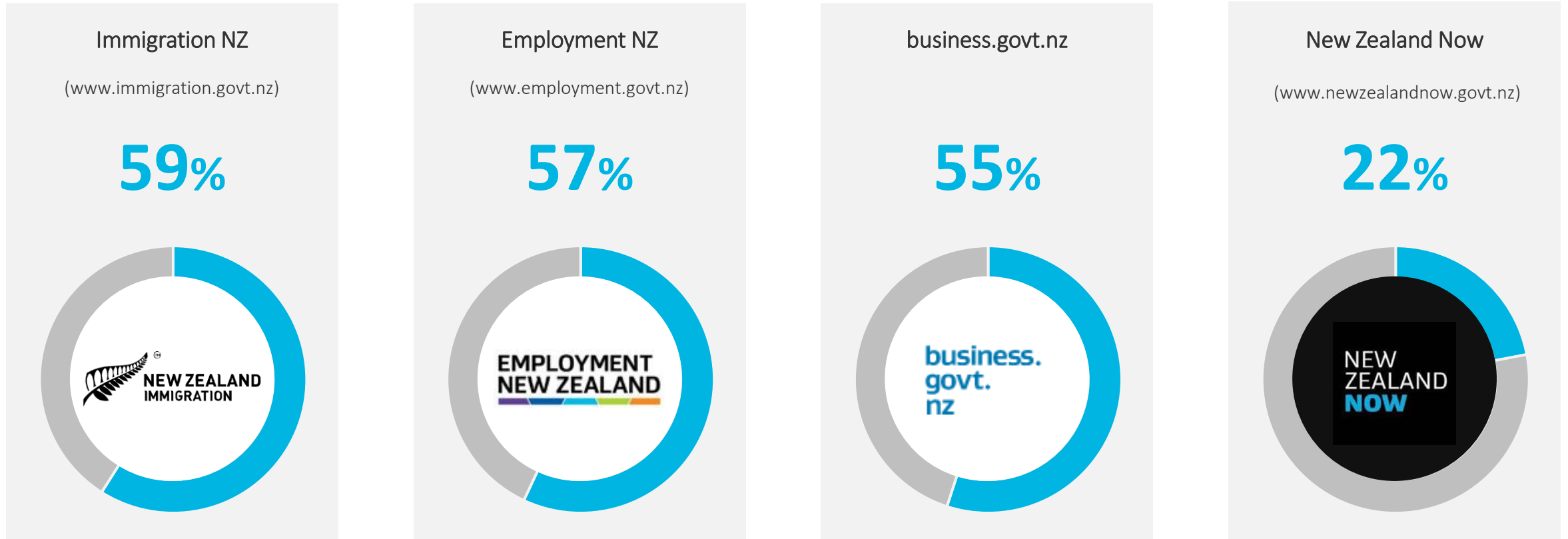
## USEFUL SOURCES OF INFORMATION ABOUT EMPLOYMENT LAW



Proportions of just over half of employers of migrants have visited the Immigration NZ, Employment NZ, and business.govt.nz websites. Around one in five have visited the New Zealand Now website.

## WEBSITE USE

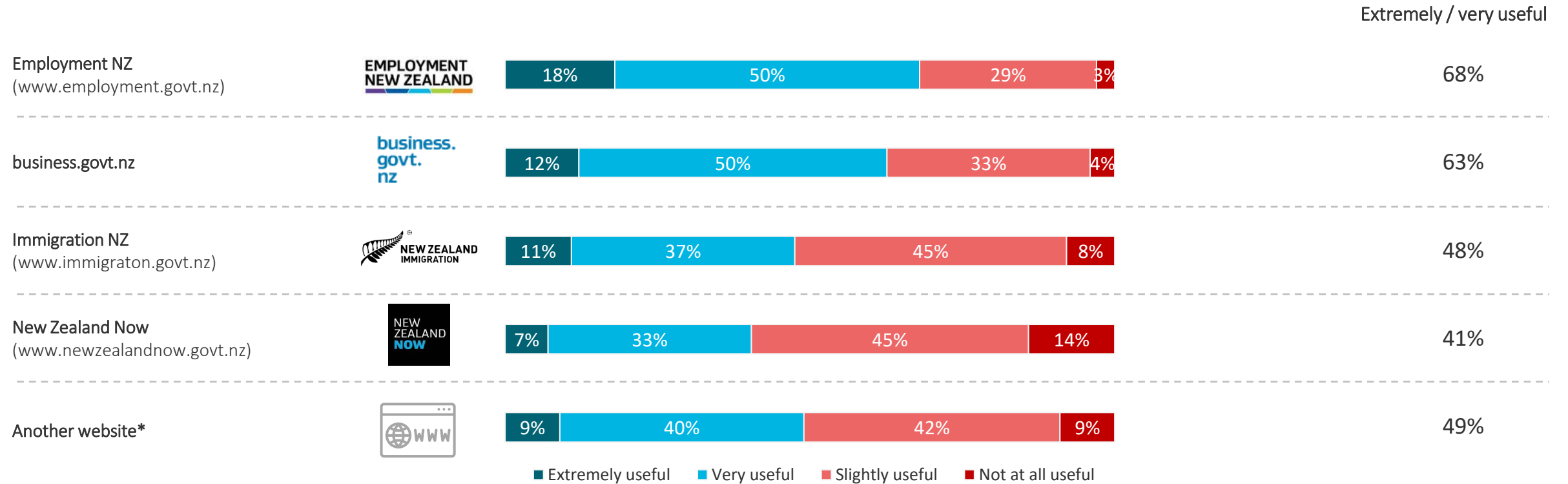
### ALL EMPLOYERS OF MIGRANTS



\*These calculations assume that respondents who did not select 'searching online/websites' at Q4 did not visit any of these websites. As there may be some employers who did do this, the website use figures on this page may be slightly conservative.

Perceived usefulness of the websites is somewhat mixed. Around two thirds found the Employment NZ and the business.govt.nz websites extremely or very useful, whereas under half found the Immigration NZ and New Zealand Now this useful.

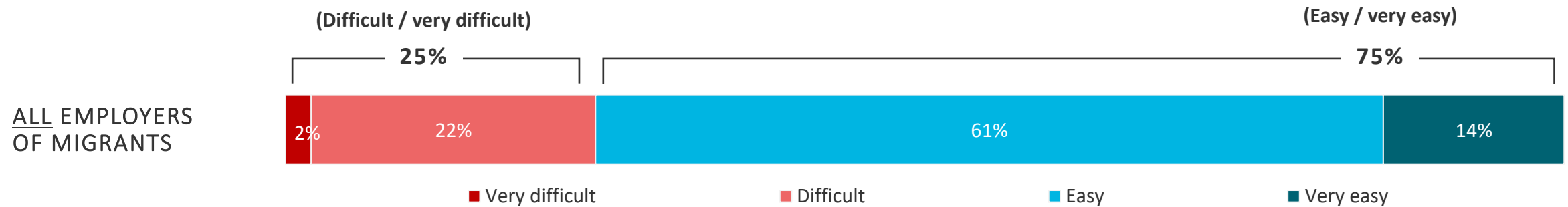
USEFULNESS OF WEBSITES AS SOURCES OF INFORMATION ABOUT EMPLOYMENT RULES AND REGULATIONS



\*Other websites that employers found useful most commonly included Google, EMA, Employsure, Dairy NZ and the Restaurant Association. These, however, were visited by very small percentages. Other websites that employers found to be not useful included Google, Labour websites, law firm websites, Trade Me, Inland Revenue and Employsure. Note, sample size is only n=26.

Most employers of migrants who searched for employment information online found it easy to find what they needed; one in four found it difficult.

### EASE OF FINDING OUT ABOUT EMPLOYMENT OBLIGATIONS ONLINE



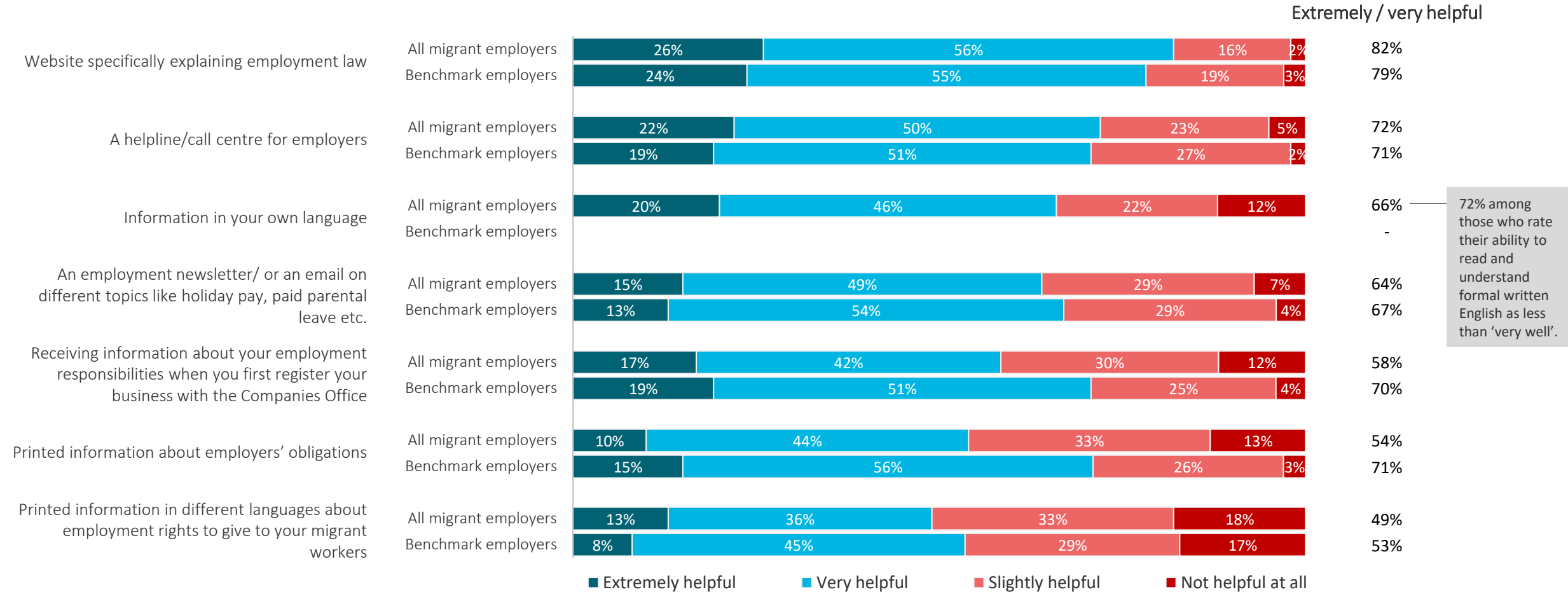
# How would employers like to find out about their employment obligations?

Similar to migrant workers, migrant employers would most prefer a dedicated website and a helpline to get the information and support they need. There are also language needs amongst employers.

Chatbots, videos and social media posts are felt to be less helpful. Webinars have some interest and can be made available during the working day. Regular updates about changes in employment and immigration law are of interest.

A website dedicated to employment law and a helpline/call centre for employers have the most potential to help employers get information and support about their employment obligations. Nearly three quarters of employers who are less able to read English would find information in their own language very or extremely helpful.

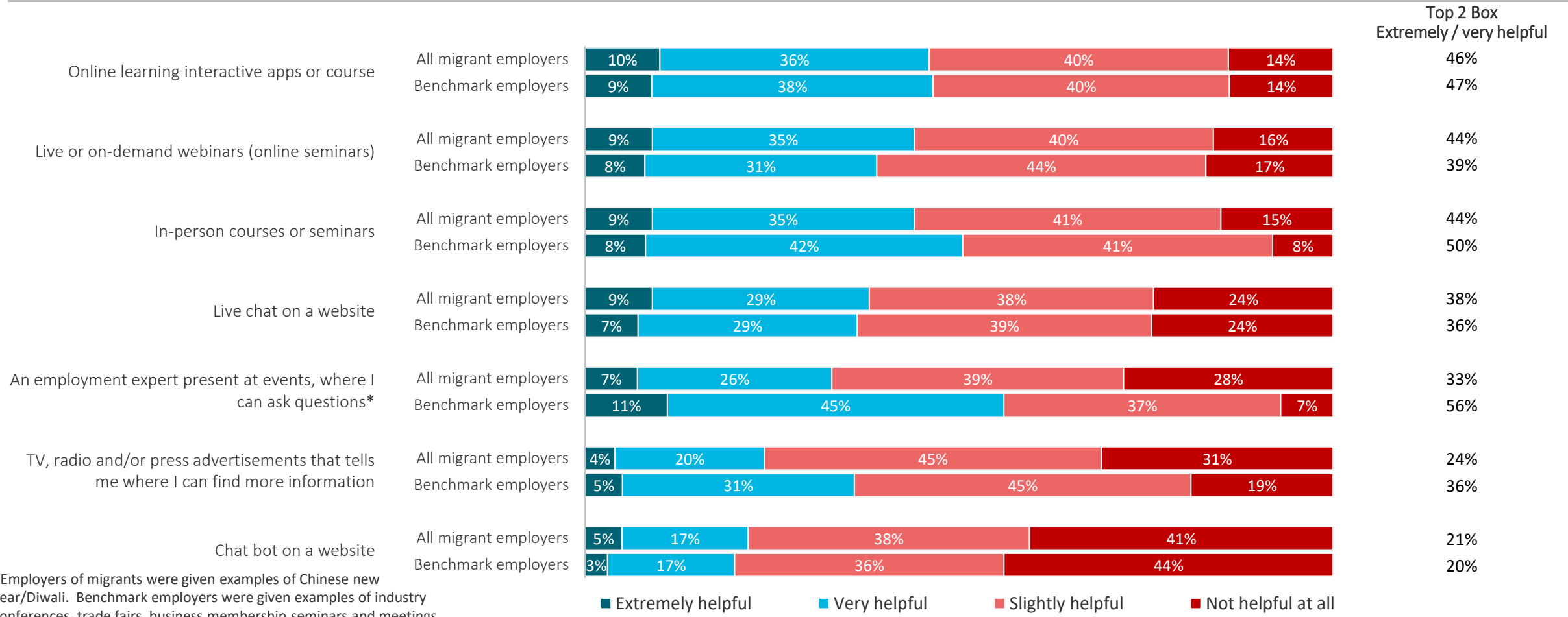
### LEARNING AND INFORMATION PREFERENCES





# Website chatbots and mainstream advertising directing employers where to go for information are viewed as the least helpful.

## LEARNING AND INFORMATION PREFERENCES

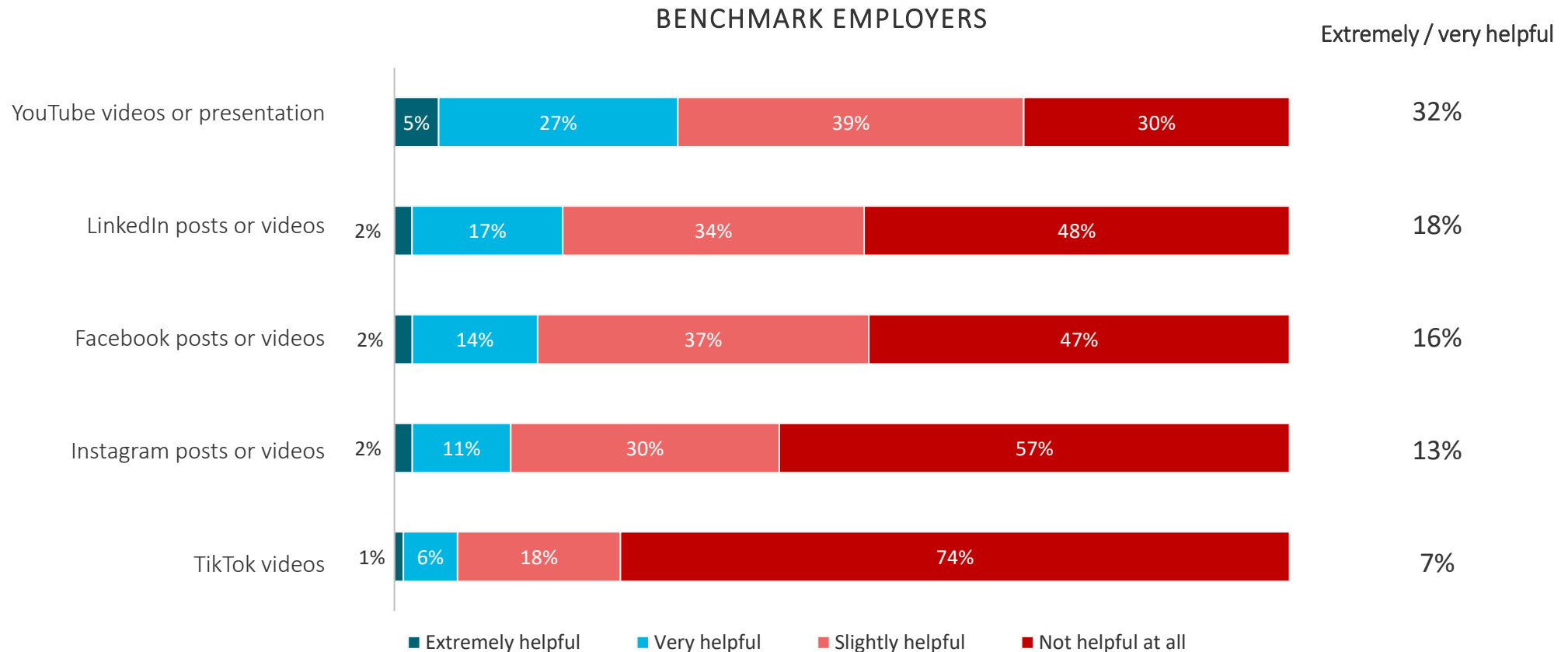


\*Employers of migrants were given examples of Chinese new year/Diwali. Benchmark employers were given examples of industry conferences, trade fairs, business membership seminars and meetings.

■ Extremely helpful ■ Very helpful ■ Slightly helpful ■ Not helpful at all

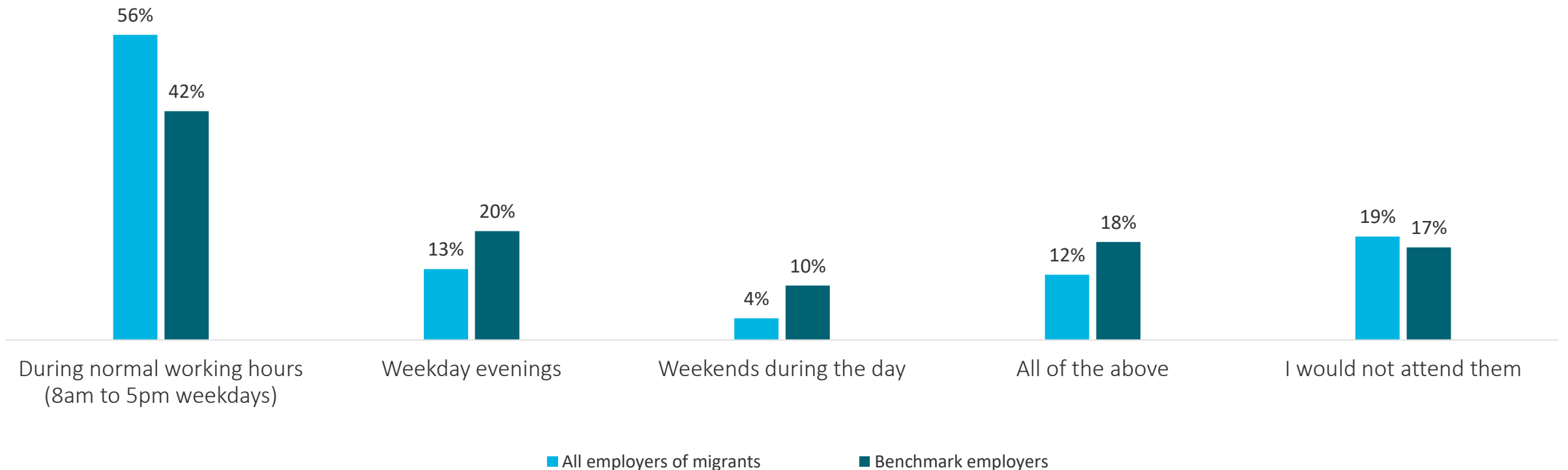
# Relatively few benchmark employers felt these suggestions would be helpful.

## ADDITIONAL LEARNING AND INFORMATION PREFERENCES (ASKED ONLY OF BENCHMARK EMPLOYERS)



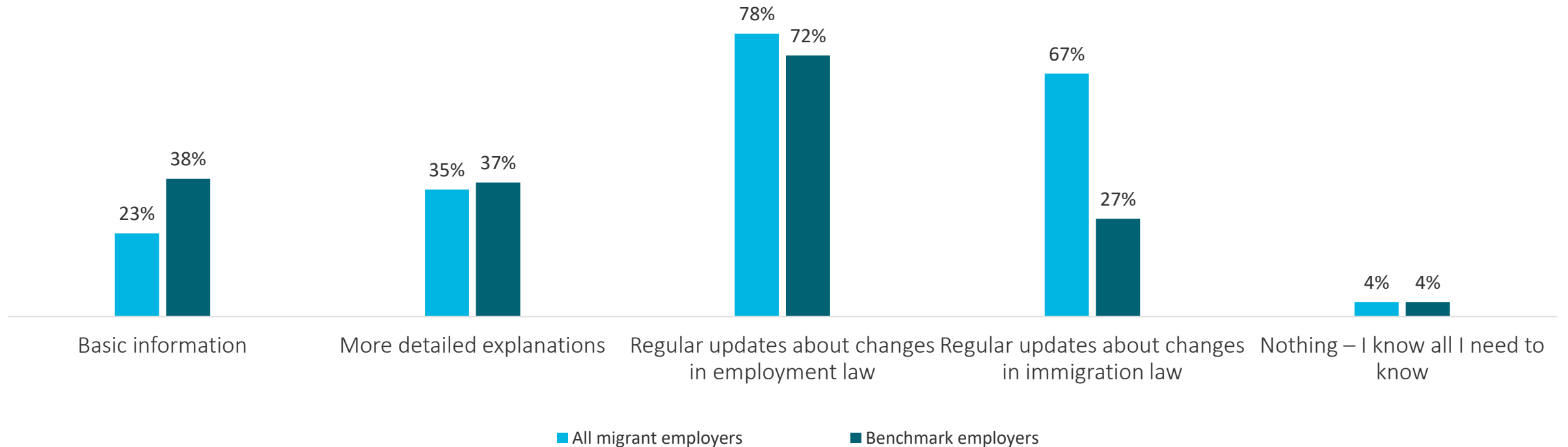
While employers would most commonly prefer to attend an in person course or webinar during normal working hours, some employers need greater flexibility.

### PREFERENCES FOR IN PERSON COURSES OR LIVE WEBINARS



There is significant interest in both basic and detailed explanations of employment law. However, employers are most commonly interested in regular updates about changes in employment law and, if they employ migrants, immigration law.

INTEREST IN SPECIFIC TYPES OF EMPLOYMENT LAW



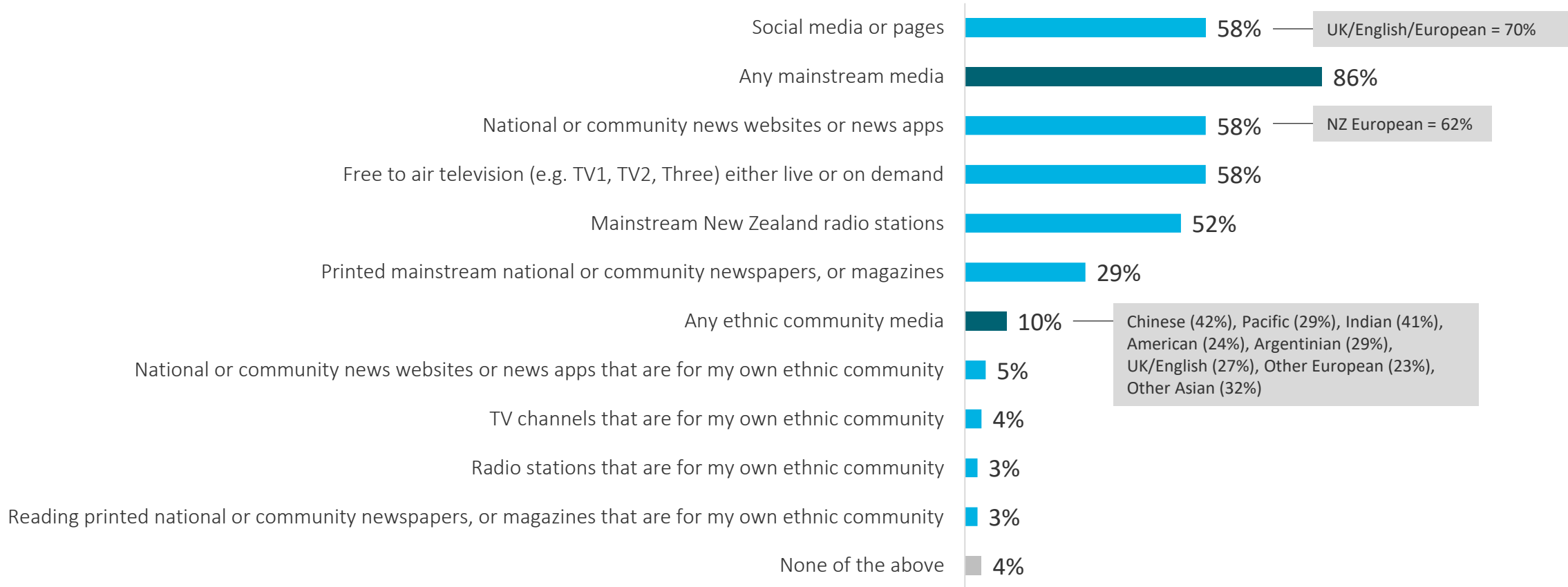
# What media do employers use?

Reaching employers can be achieved through both mainstream media and community media. Many employers of migrants belong to some type of business/industry, religious, ethnic or community group, much more than the benchmark employers.

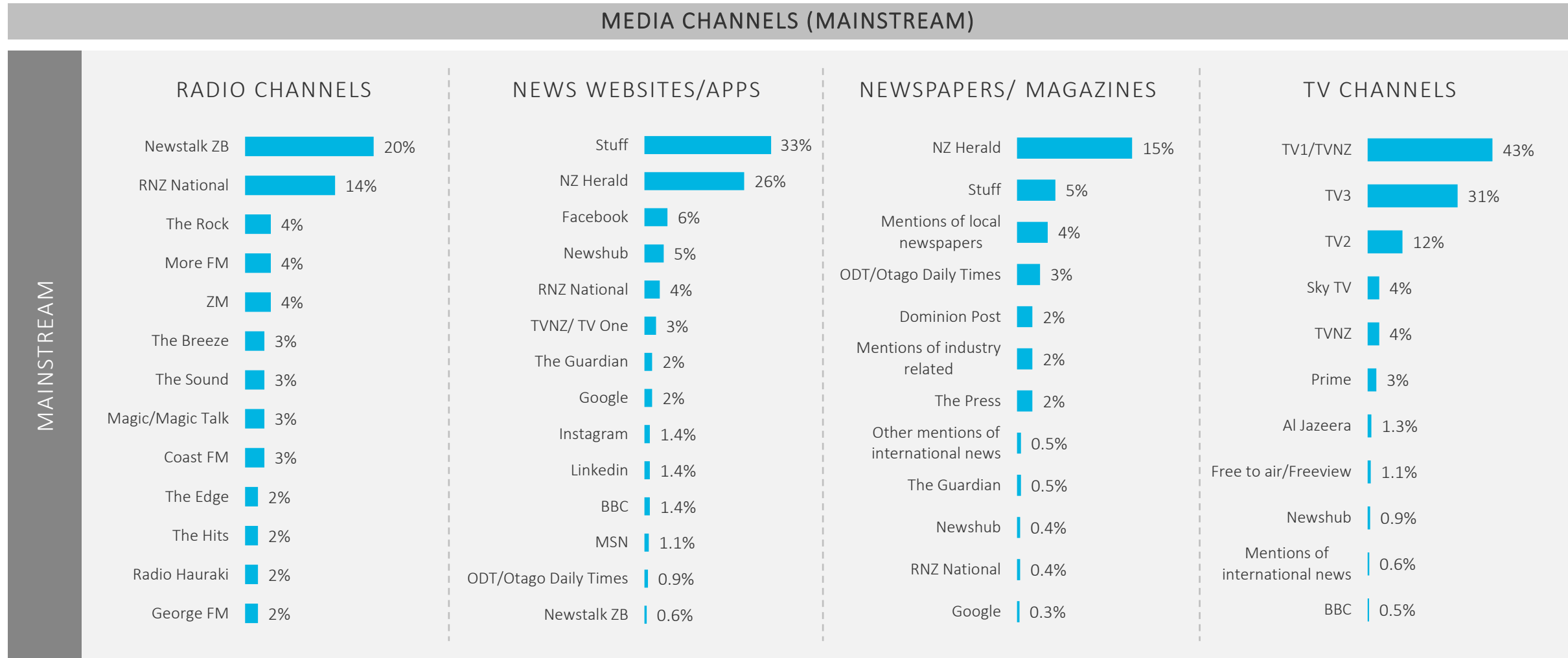


Most employers consume mainstream media, and just over half use social media (for at least an hour a week). Around four in ten Chinese and Indian employers consume ethnic community media.

MEDIA AND SOCIAL MEDIA USE (FOR AT LEAST AN HOUR IN THE LAST WEEK)

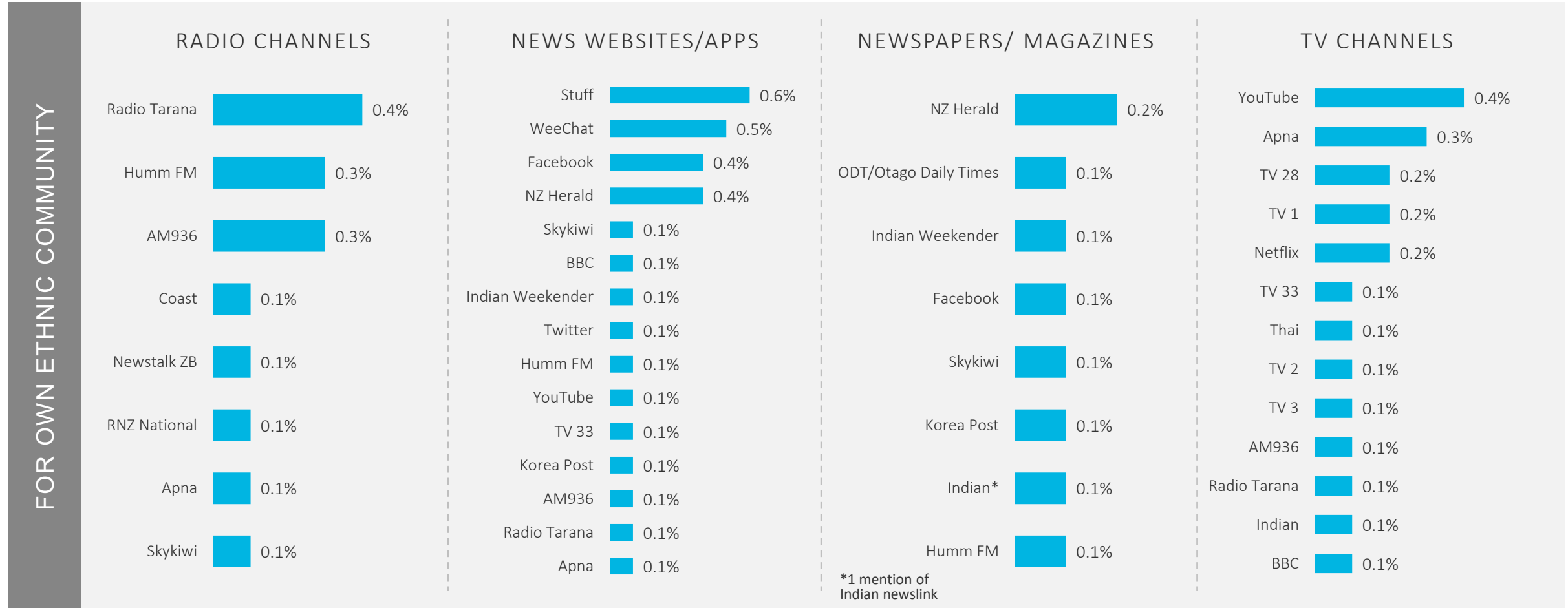


Respondents who indicated they listened to, watched, or read each of the mainstream media sources in the previous question (at least one hour per week), were then asked which specific channels, sites and publications they normally use. The graph below shows the respondent defined sources used. Results are based on all employers of migrants.



Likewise, the most popular ethnic media consumed is shown below. Again, these were respondent defined.

### MEDIA CHANNELS FOR WHAT RESPONDENT CONSIDERED TO BE THEIR OWN ETHNIC COMMUNITY

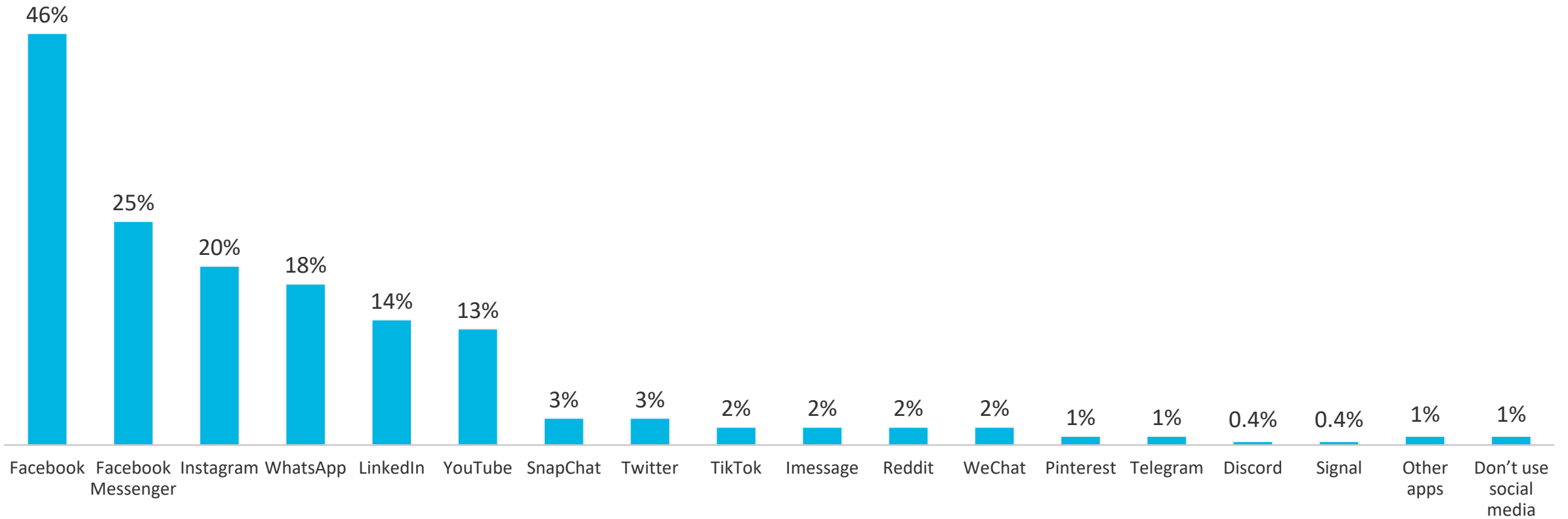




Facebook, Instagram, WhatsApp, LinkedIn and YouTube are the most popular social media used by employers.

SOCIAL MEDIA USE (BASED ON ALL RESPONDENTS)

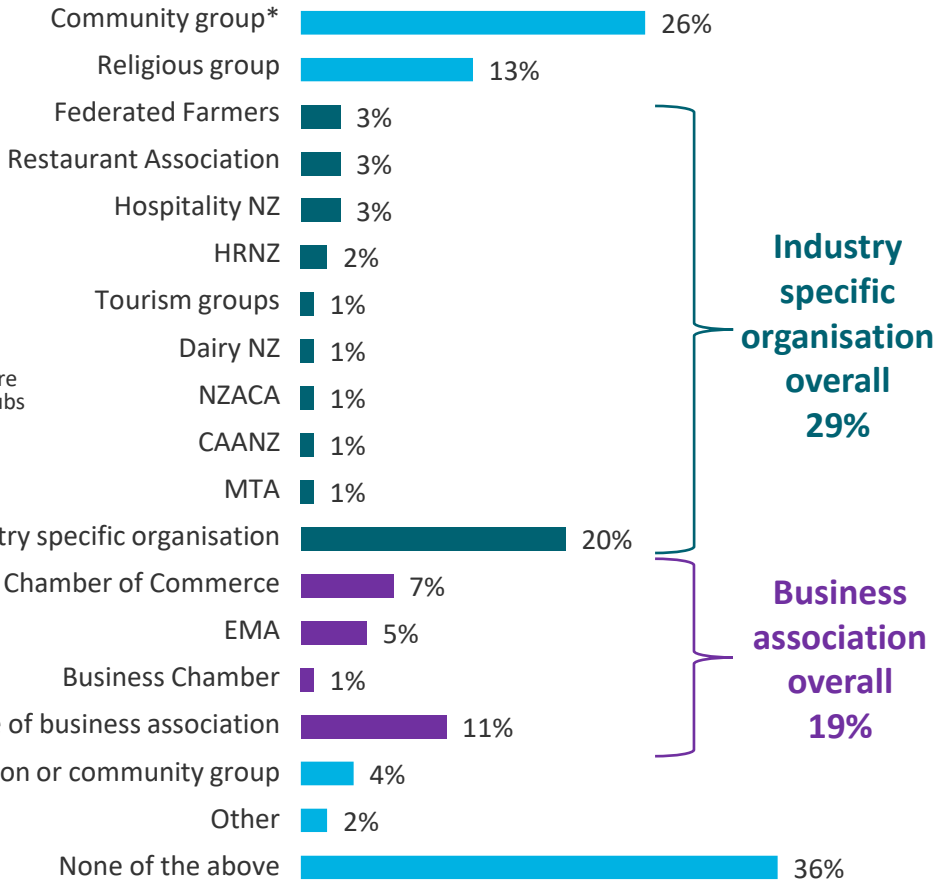
ALL EMPLOYERS OF MIGRANTS



Around two thirds of employers of migrants belong to some type of business/industry, religious, ethnic or community group. A large majority (88%) of group members are engaged with written communications from that group.

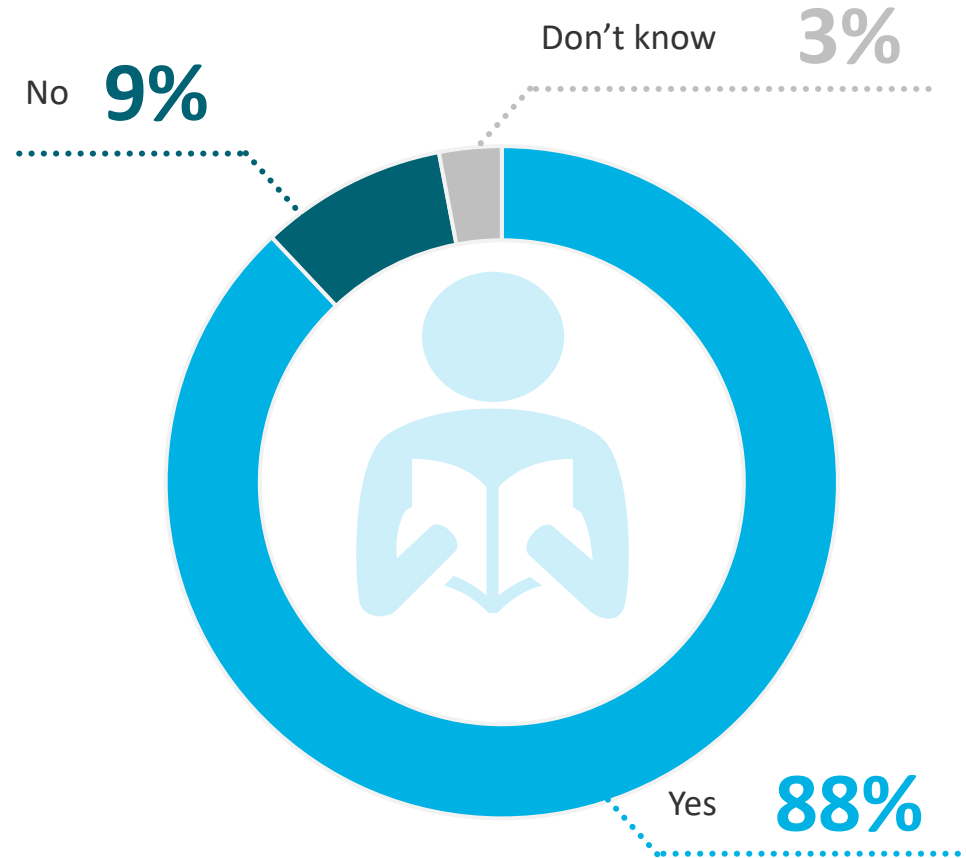
### GROUP MEMBERSHIP

64% belong to at least one group

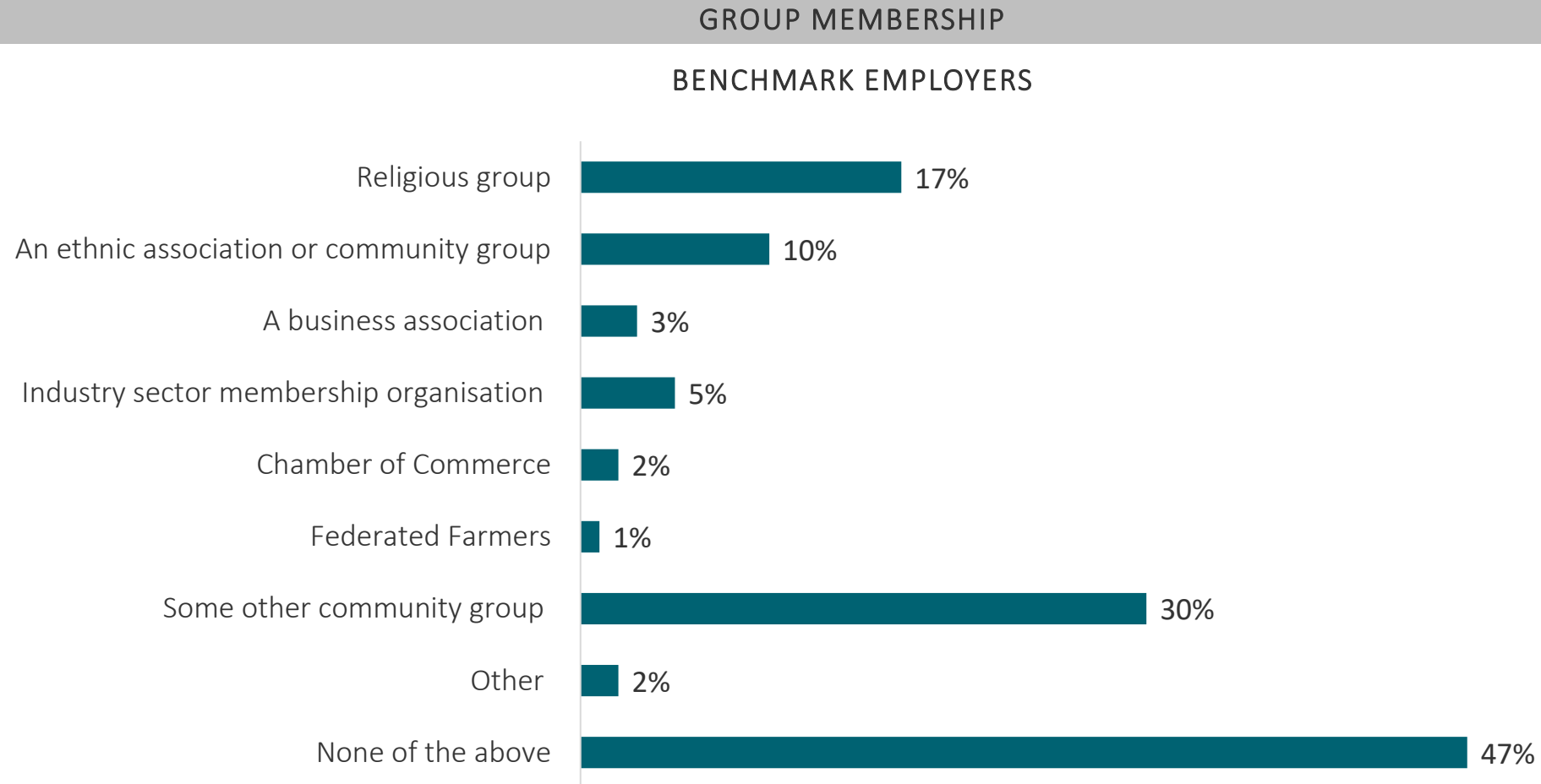


\*Examples of community groups we provided to respondents were sports/hobbies/arts, culture club, rotary, Lion youth clubs

### READ A NEWSLETTER OR UPDATE IN LAST 3 MONTHS



In comparison, just over half (53%) of benchmark employers are members of some type of business/industry, religious, ethnic or community group



# What are employers' attitudinal influences on exploitation?

Overall, employers of migrants are more concerned about their reputation and worker wellbeing than the benchmark employers.

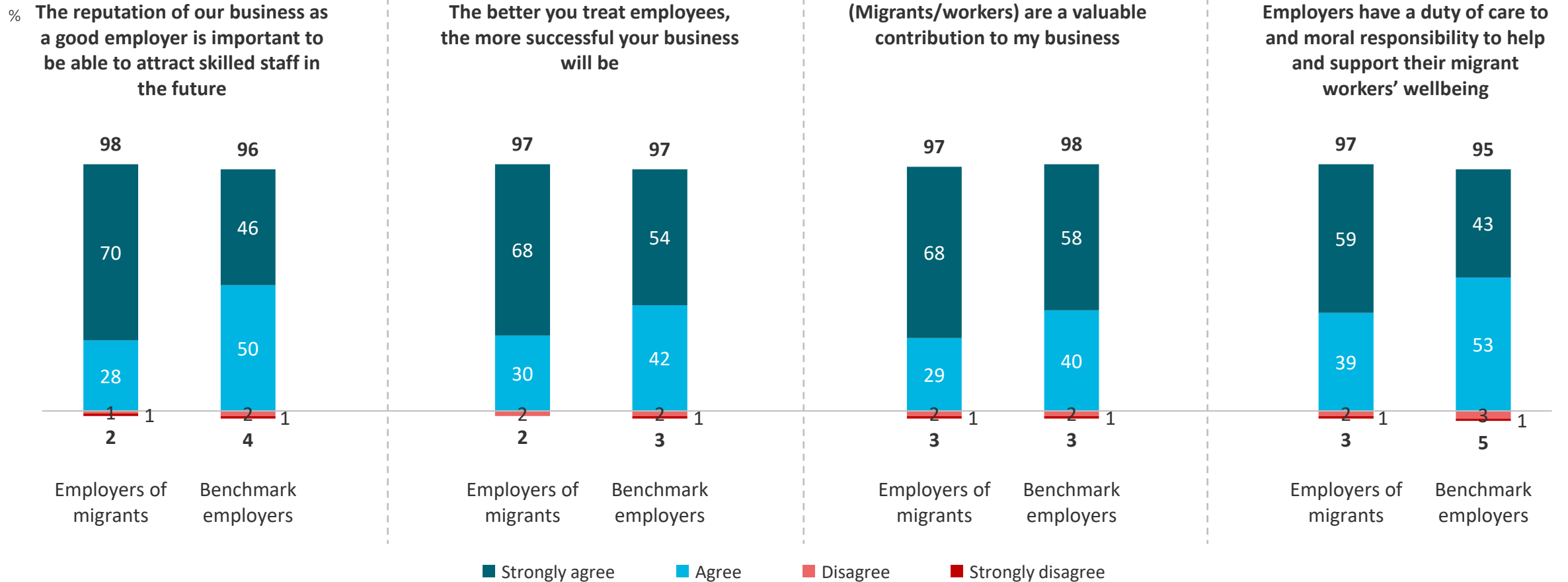
Like many employers, they are subject to business pressures, and find it particularly difficult to find and keep staff.

Most feel obliged to honour their employment obligations, though they do feel that keeping up with them is not necessarily easy. Overall they believe that laws are more likely to favour workers.

They recognise that migrant workers may fear speaking up and may not be fully knowledgeable of their rights but also perceive a lack of government resource in bringing culprits to task.

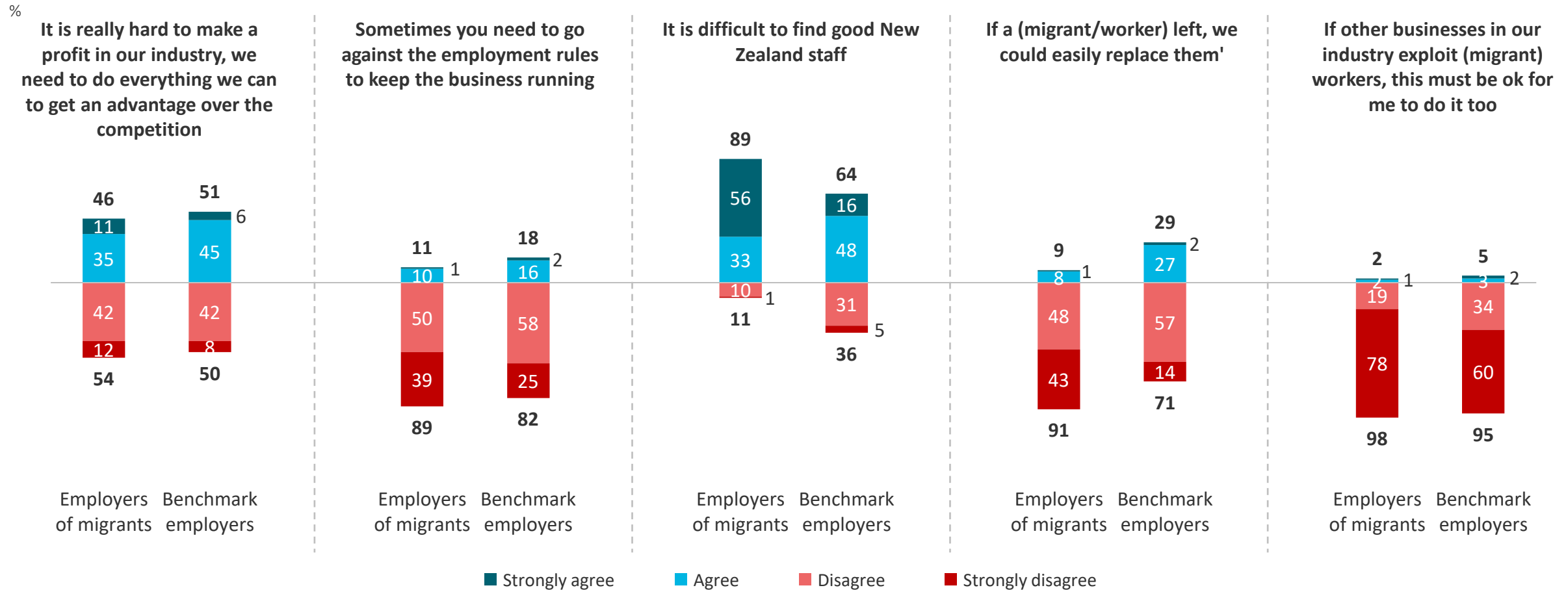
A strong moral obligation is reflected by high proportions of employers (more than 90%) who believe they have a duty of care and moral responsibility to support migrant worker wellbeing, recognise that the valuable contribution migrant workers make to the business, and recognise that good employer practices leads to business success.

### ATTITUDINAL INFLUENCES ON EXPLOITATION



Employers face a number of business pressures and norms, most notably the need to find an advantage over the competition and labour market constraints.

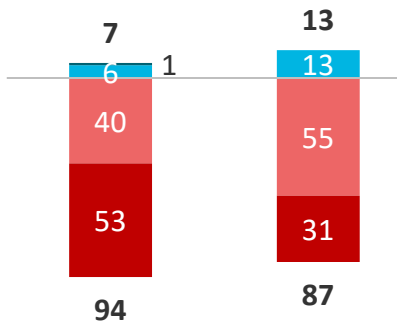
### ATTITUDINAL INFLUENCES ON EXPLOITATION



A few employers surveyed admitted to treating migrant workers differently to Kiwi workers, and the feeling that workers owe the employer for giving them a job. Most employers attribute worker mistreatment to worker fear.

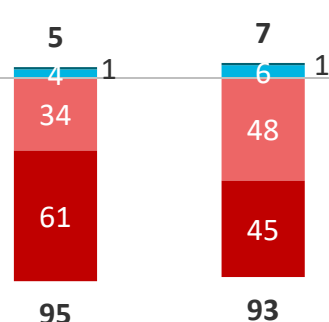
### ATTITUDINAL INFLUENCES ON EXPLOITATION

% (Migrants/workers) owe employers for giving them a job



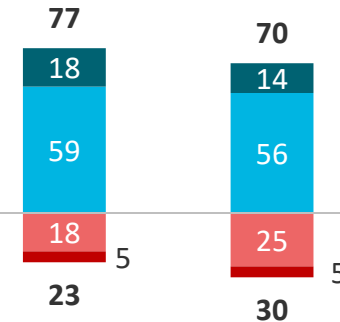
Employers of migrants | Benchmark employers

I treat my migrant workers differently to my Kiwi workers



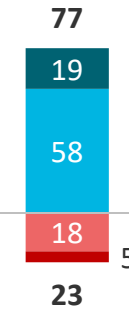
Employers of migrants | Benchmark employers

Employers who are mistreating their (migrant) workers don't get caught because (migrants/workers) are scared to report employers' actions to the authorities



Employers of migrants | Benchmark employers

Employers who are mistreating their (migrant) workers don't get caught because migrants are scared that they will lose their visa and be deported



Employers of migrants | Benchmark employers

No data for benchmark employers

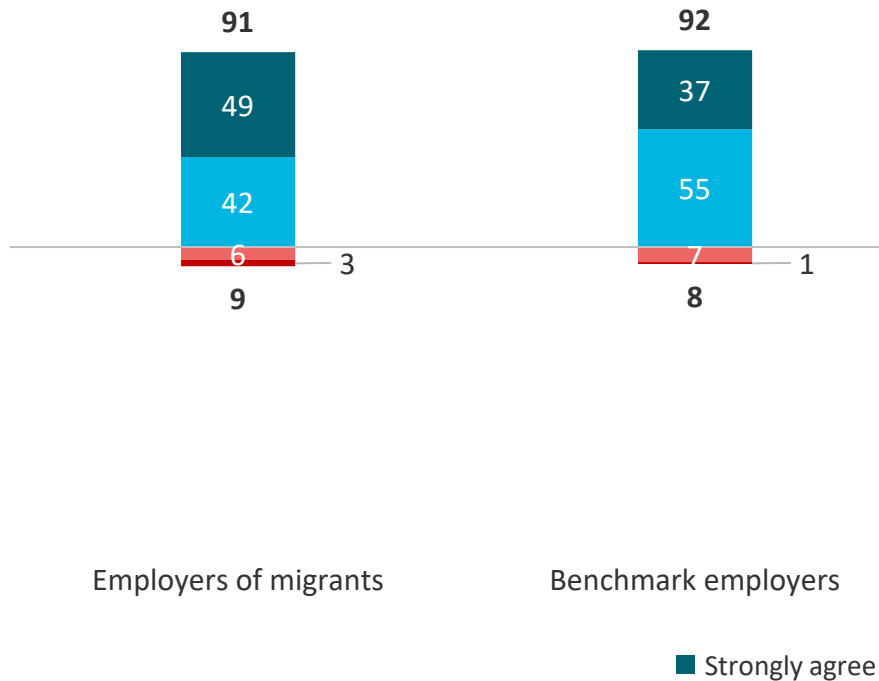
Legend: Strongly agree (dark blue), Agree (light blue), Disagree (light red), Strongly disagree (dark red)

Most employers feel a sense of obligation to comply with employment law. Although most employers believe their migrant workers are aware of NZ employment law, few strongly agreed with this.

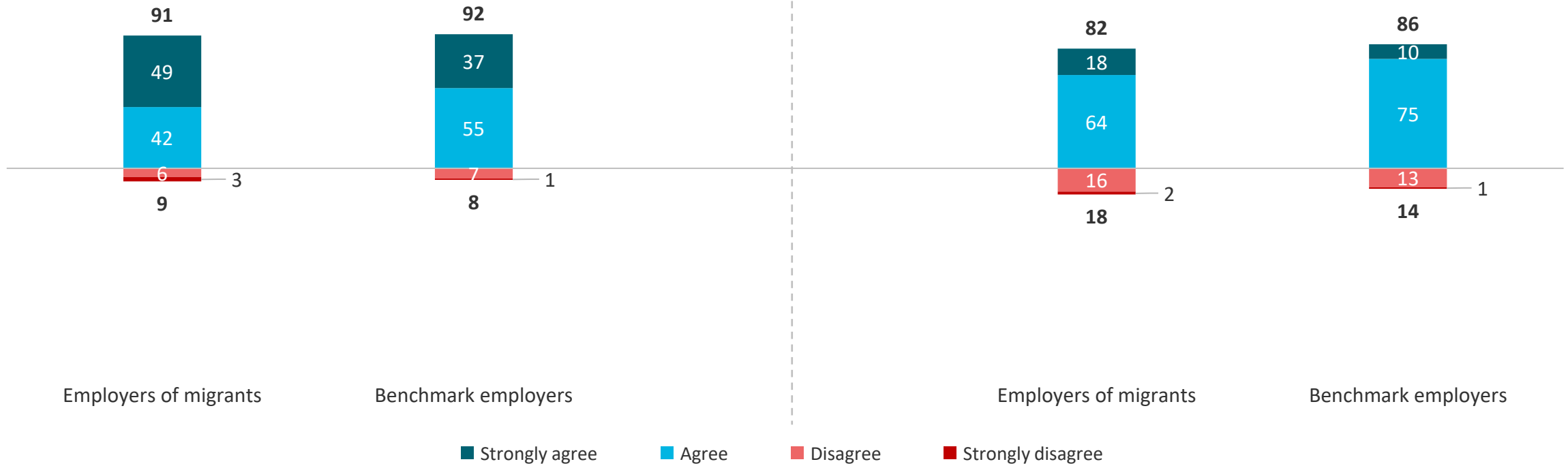
### ATTITUDINAL INFLUENCES ON EXPLOITATION

%

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



My migrant workers are aware of New Zealand employment law



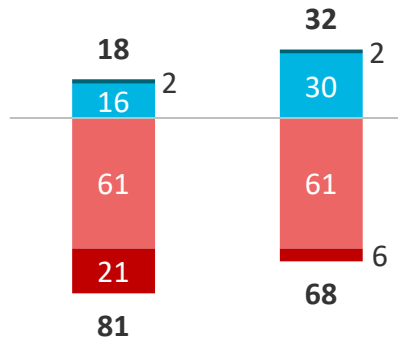


Most employers find it difficult to keep up with employment and immigration laws. While most know where to go for help, relatively few strongly agree that this is the case.

### ATTITUDINAL INFLUENCES ON EXPLOITATION

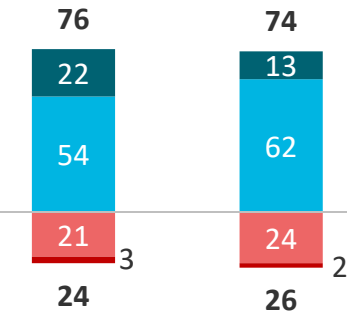
%

I find it difficult to understand my employer obligations in New Zealand



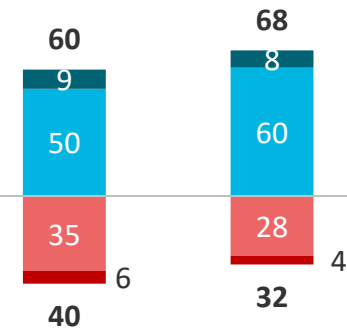
Employers of migrants    Benchmark employers

It is hard to keep up with immigration laws



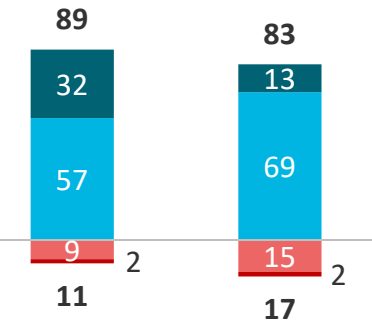
Employers of migrants    Benchmark employers

It is hard to keep up with employment laws



Employers of migrants    Benchmark employers

I know where to go or who to ask for help, if I need support with understanding my employment obligations



Employers of migrants    Benchmark employers

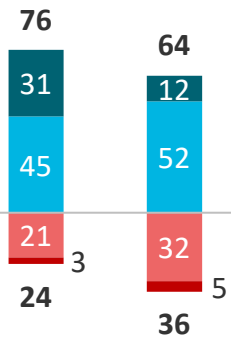
Strongly agree    Agree    Disagree    Strongly disagree

Many employers think New Zealand's employment laws make doing business difficult and favour employees. Employers getting away with worker mistreatment is attributed (at least in part) to a lack of government resource.

### ATTITUDINAL INFLUENCES ON EXPLOITATION

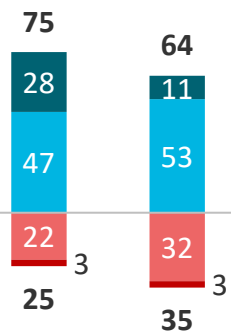
%

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



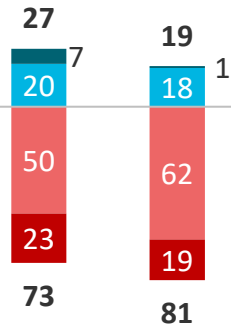
Employers Benchmark of migrants employers

New Zealand employment laws treat employees better than employers



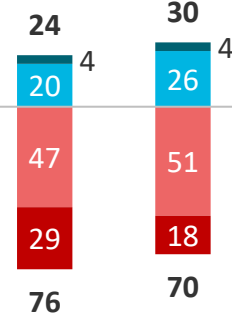
Employers Benchmark of migrants employers

The employment law for (migrant) workers doesn't really work in the industry our business operates in



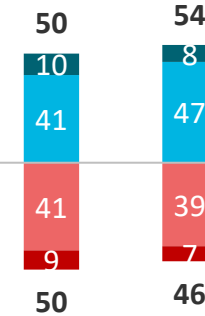
Employers Benchmark of migrants employers

'Employers don't care if they break the law, because it takes too long for government to resolve the issue



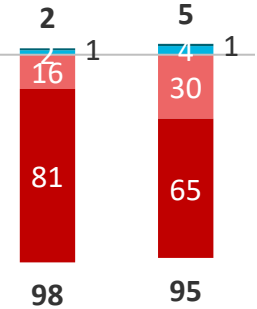
Employers Benchmark of migrants employers

Employers who mistreat their workers don't get caught because there are not enough government officials looking for bad employers



Employers Benchmark of migrants employers

Even if I have to pay fines and penalties it is worthwhile exploiting (migrant) workers



Employers Benchmark of migrants employers

Strongly agree Agree Disagree Strongly disagree

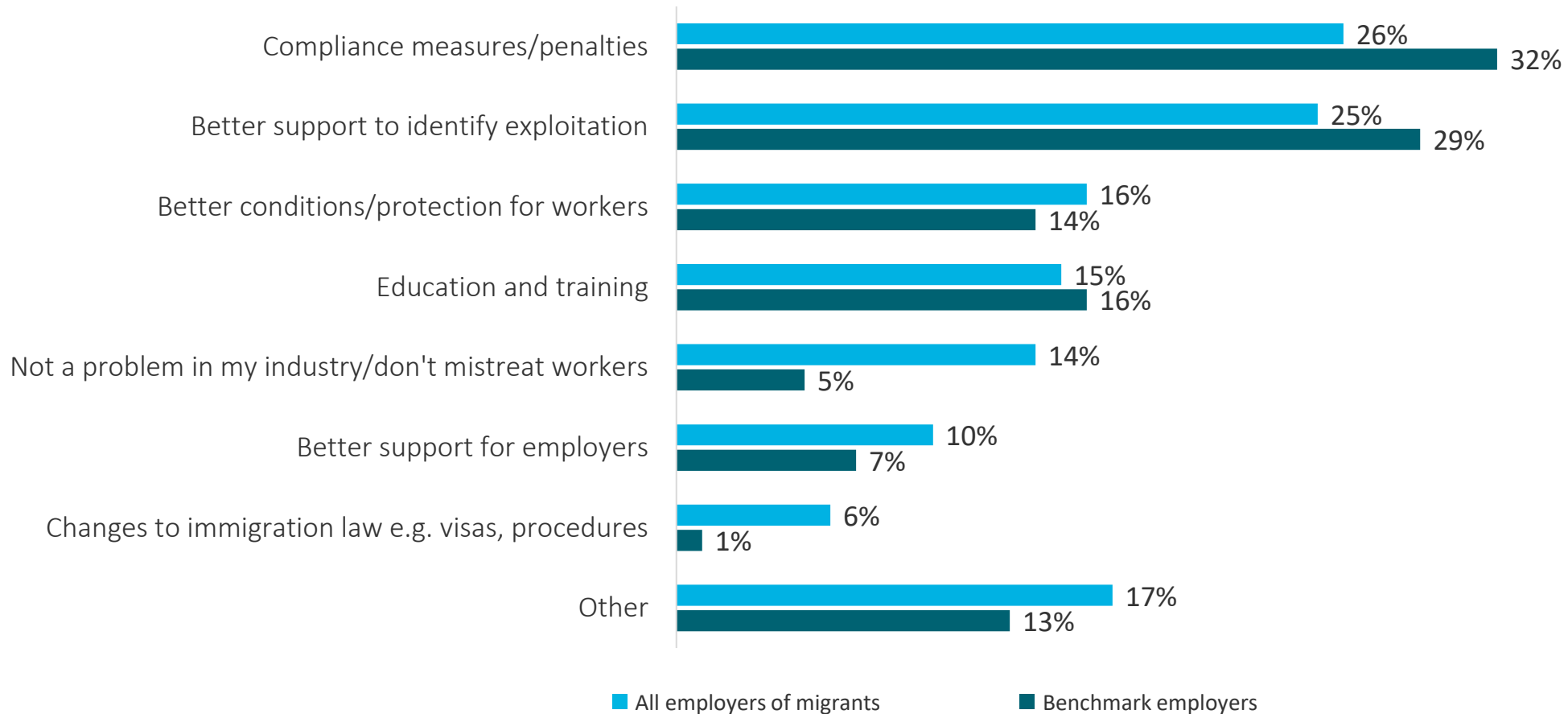
# What do employers say would encourage compliance?

Employers of migrants believe that the most effective ways to encourage compliance are through increasing the consequences for those who are doing the exploiting. More positive, benefit led messaging was felt to be somewhat 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. Simplifying and reforming the visa system and process is also a strong underlying theme.

Employers were asked to describe the one thing that could be done to reduce the exploitation and mistreatment of migrant workers in their industry. Compliance measures and better support to identify exploitation were the most common suggestions.

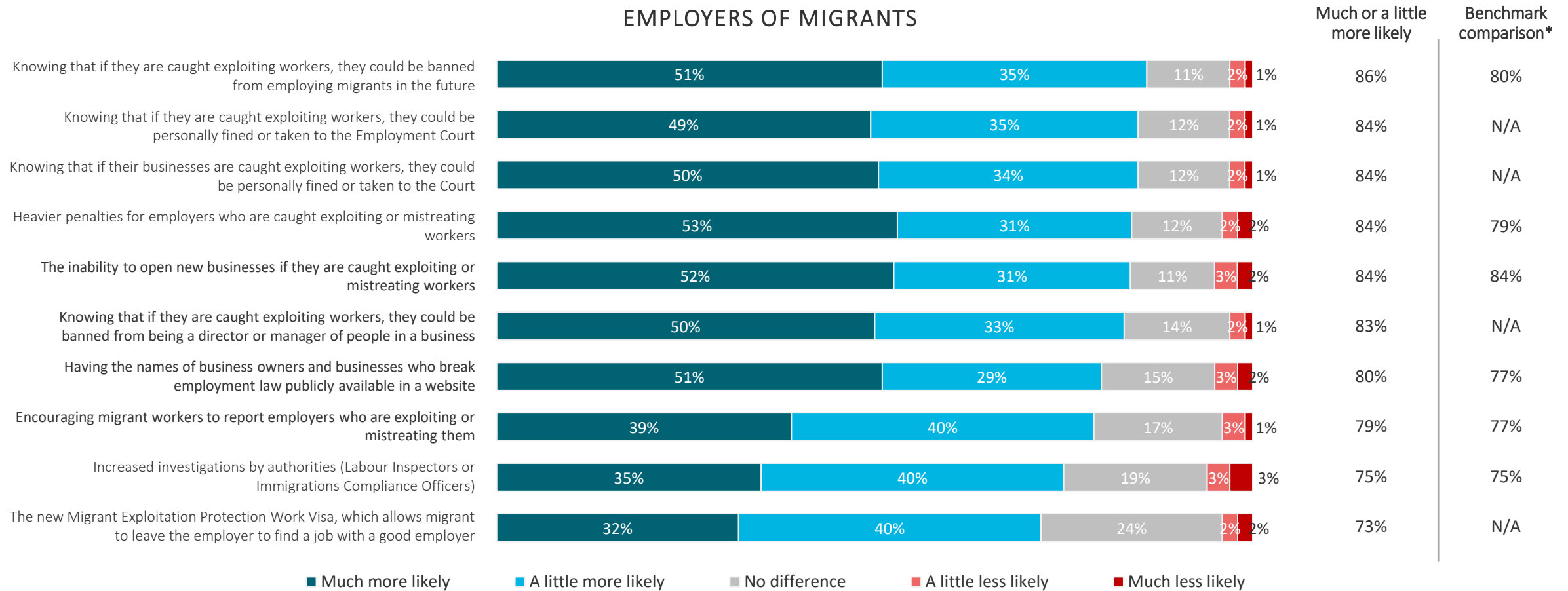
REDUCING EXPLOITATION OF TEMPORARY MIGRANT WORKERS



In general, employers perceive punitive measures to be more effective than rewards in encouraging employers to comply with the employment law. Other key results are that three in ten employers believe the new Migrant Exploitation Protection Work visa would be very effective. Likewise, nearly four in ten employers think encouraging workers to report mistreatment would result in employers being much more likely to comply with employment law.

## MESSAGES AND INITIATIVES TO ENCOURAGE COMPLIANCE WITH EMPLOYMENT LAW

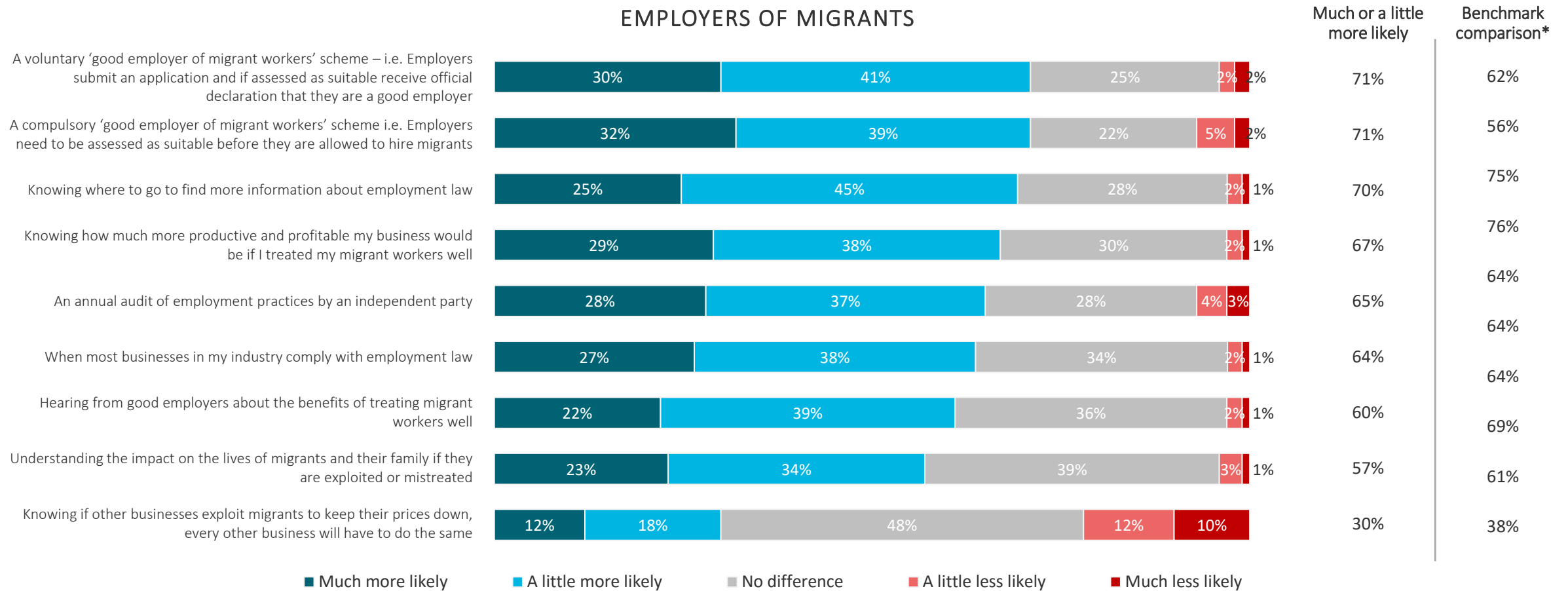
### EMPLOYERS OF MIGRANTS



Around three in ten employers think a ‘good employer of migrant workers’ scheme’ would make employers much more likely to comply with employment law. Only a few more employers believe making it compulsory would make it more effective.

MESSAGES AND INITIATIVES TO ENCOURAGE COMPLIANCE WITH EMPLOYMENT LAW

EMPLOYERS OF MIGRANTS



This page details employers' suggestions for compliance measures including penalties.

SUGGESTIONS FOR COMPLIANCE MEASURES/PENALTIES



*“Banned from employing migrants permanently and fined and named” – NZ Euro, Conflicted*

*“Heavier penalties for those mistreating migrant workers, including banning” – Chinese, Virtuous and compliant*

*“Punishment of those that exploit migrants. Including, financial penalties, public humiliation, preventing unethical businesses trading and undercutting ethical businesses.”  
– Scottish, Virtuous and compliant*

*“Heavier penalties and name and shame approach.”  
– Fijian, Doing right by workers*

*“Easily accessible list of businesses that don't comply with the law. Online, on Immigration website, Chamber of Commerce, WINZ etc.*

*Every business that is not treating their employees well should be fined heavily, and if still not compliant individuals need to be banned from being in business. This needs to be processed on a short timeline, not in a lengthy bureaucratic procedure with loopholes.” – European, Virtuous and compliant*

	Employers of migrants	Benchmark employers
<b>Compliance measures/penalties (nett)</b>	<b>26%</b>	<b>32%</b>
Harsher penalties/punishment/prosecution of employers	7%	9%
Better enforcement/prosecution/punishment	4%	6%
Ban the business/person from working/hiring anyone	4%	4%
Name and shame offending companies	4%	7%
Fines/heavyfines	3%	5%
Auditing businesses/more audits	3%	3%
Assessment/investigation of businesses that employ migrant staff	3%	2%
Accountability/personal liability	2%	2%
Employer reference/good/bad employer system/rating	2%	
Deport those exploiting	2%	
Focus/regulate groups known to exploit	1%	
More regulation/rules	*	1%

This page details employers' suggestions for better support to identify exploitation.

SUGGESTIONS FOR BETTER SUPPORT TO IDENTIFY EXPLOITATION



*“Keep in touch by calling the worker, going to their job site and training them to know the labour laws, let them know the help call number.” – Chinese, Potential exploiter*

*“Allowing migrants to report situations without consequences and listen to both sides of the story.” – Chinese, Conflicted*

*“Spot checks on business and migrant heavy areas would be the best way to start as they normally slip under the radar.” – Other ethnicity, Conflicted*

*“A liaison officer type figure who represents the migrant worker and checks in on them in the workplace regularly.” – Fijian/British, Doing right by workers*

	Employers of migrants	Benchmark employers
Better support to identify exploitation (nett)	25%	29%
A place/safe place to report problems/reporting of exploitation	10%	12%
Surveillance/monitoring/policing/checks/inspections on businesses	8%	7%
Better support/union/advocates for them	3%	4%
Interviewing/surveying of migrant employees/all staff members	3%	3%
Spot checks	1%	4%
Better screening/vetting/background checks of businesses that employ migrants	1%	1%
A register of employees	-	1%



This page details employers’ suggestions for better protection and conditions for workers.

SUGGESTIONS FOR BETTER PROTECTION AND CONDITIONS FOR WORKERS



“Don't link employment to a particular job or company - that is just asking for the worker to be exploited.” – **NZ European, Virtuous and compliant**

“Give them same rights and protections as NZ workers. Same pay and conditions.” – **NZ European, Potential exploiter**

“Making it easier to get a work visa, therefore they are not tied down to the one company. if they know they can change employment like everyone else then they would not be a problem. The main problem is that they believe that they are tied down to one company and believe that it would be hard to get another visa with a different company.

Migrant workers are essential to NZ, and they should be given the same opportunities as everyone else. By restricting where and what work they can do, you will always find people exploiting them for that reason alone.” – **Korean, Conflicted**

	Employers of migrants	Benchmark employers
<b>Better conditions/protection for workers</b>	<b>16%</b>	<b>14%</b>
Easier for migrant workers to change jobs	5%	1%
Fairness/treat everyone the same	5%	5%
Wage rate/better pay	1%	5%
Respect for others	1%	2%
Better working conditions	*	2%
Better/designated hours/breaks	*	1%
Trust/honesty	*	2%
Be kind/understanding	*	1%
Employment contract	1%	
Migrant worker protection/protection for deportation	1%	
Ability of migrant to speak English	1%	
Quicker follow up of complaints/quicker follow up	1%	

# This page details employers' suggestions for better education and training.

## SUGGESTIONS FOR BETTER EDUCATION AND TRAINING



*“As part of visas issued to migrants, there should be an education session for migrants to let them know their rights. A certification/endorsement scheme for all businesses to advertise themselves as “Safe employer” based on audits and checks by government agencies.” – Indian, Doing right by workers*

*“Better education for migrant workers. Faster investigations of rogue companies. Heavier penalties/ imprisonment for exploitative employers. Many, many more inspectors. This issue makes my blood boil. Not enough is being done.” – NZ European, Virtuous and compliant*

*“Encourage migrant workers to speak out. Give them info when they get their visas. Let them know they won’t get in trouble for speaking out. They need confidence to speak up and to know what their rights are in NZ. Give more info on NZ law.” – NZ European, Doing right by workers*

*“Ensure that MIGRANTS have a basic knowledge of Employee Rights – i.e. written contracts, minimum rates, leave etc and details as to who they can go to with Employment Relationship problems” – Māori, Virtuous and compliant*

	Employers of migrants	Benchmark employers
<b>Education and training</b>	<b>15%</b>	<b>16%</b>
Educate/advise employees of their rights/employment laws	10%	4%
Education/training for employer obligations/laws	3%	4%
Clarity/simplified/easier to understand employment law	2%	3%
Education/information/advice (non specific)	2%	6%
Provide translator/information in their own language	1%	

# This page details employers' suggestions for how Government can better support employers.

## SUGGESTIONS FOR BETTER EMPLOYER SUPPORT



*“Simpler employment and immigration laws - leave legislation is a mess, and immigration is even worse. Not even immigration NZ knows what's going on. Remove compliance requirements and restrictions on business. Compulsory registration etc. would be a nightmare due to costs and time relating to compliance, and will by definition result in good employees falling foul of the law due its complexity, rather than catching those deliberately breaching the law.” – NZ Euro, Virtuous and compliant*

*“Reduce paperwork for accredited employers and ease of getting employer supported visa's for the skilled / semi skilled migrant workers.” – Indian, Virtuous and compliant*

*“I am sorry that there are employers out there that exploit migrant workers but for those of us who are great employers some of your suggestions sound onerous and I would rather just employ New Zealanders.” – NZ Euro, Virtuous and compliant*

*“It is really stupid the way to become accredited employer. Spend ages submitting loads of forms - every 2 years this has to be done. But no physical visit from immigration...Currently the multitude of forms is just nonsense - anyone with half a brain can do these 'falsely' if they wanted to” – NZ European, Doing right by workers*

	Employers of migrants	Benchmark employers
<b>Better support for employers</b>	<b>10%</b>	<b>7%</b>
Less Government policies/red tape/tax on employers	2%	3%
Easier to employ migrants	3%	
Don't set wage threshold so high/Wages too high	3%	
Not assuming all employers are bad/praise for those doing well	2%	2%
Better screening process of migrants credentials	2%	
Employ NZer's/make NZ unemployed take the jobs	1%	2%
Speed up employment authority process	-	1%

This page describes employers' suggestions for changes to immigration law.

SUGGESTIONS FOR CHANGES TO IMMIGRATION LAW (6% OF EMPLOYERS OF MIGRANTS AND 1% OF BENCHMARK EMPLOYERS)



*“A decent immigration office that gives a damn about migrants... this one is flawed, uncompassionate and disinterested. Our worker has applied for residency, should have an answer by now.. but when asked ‘oh no where near, maybe in a year from now’.” – NZ European, Virtuous and compliant*

*“I think this government has no concept of how hard it is to get skilled labour in New Zealand. If someone is skilled they should also be able to bring their family with them.”  
– NZ European, Virtuous and compliant*



*“Making Immigration NZ more responsive to employers in finding solutions instead of reasons to say No.”  
– NZ European, Conflicted*

*“Making the INZ process easier to change jobs and quicker and with less criteria. The whole INZ process for both employers and employees is too rigid and inconsistent (open to case managers independent opinion). Mistreated migrant workers are scared to change jobs in case it jeopardizes their current visa status.”  
– NZ European, Doing right by workers*

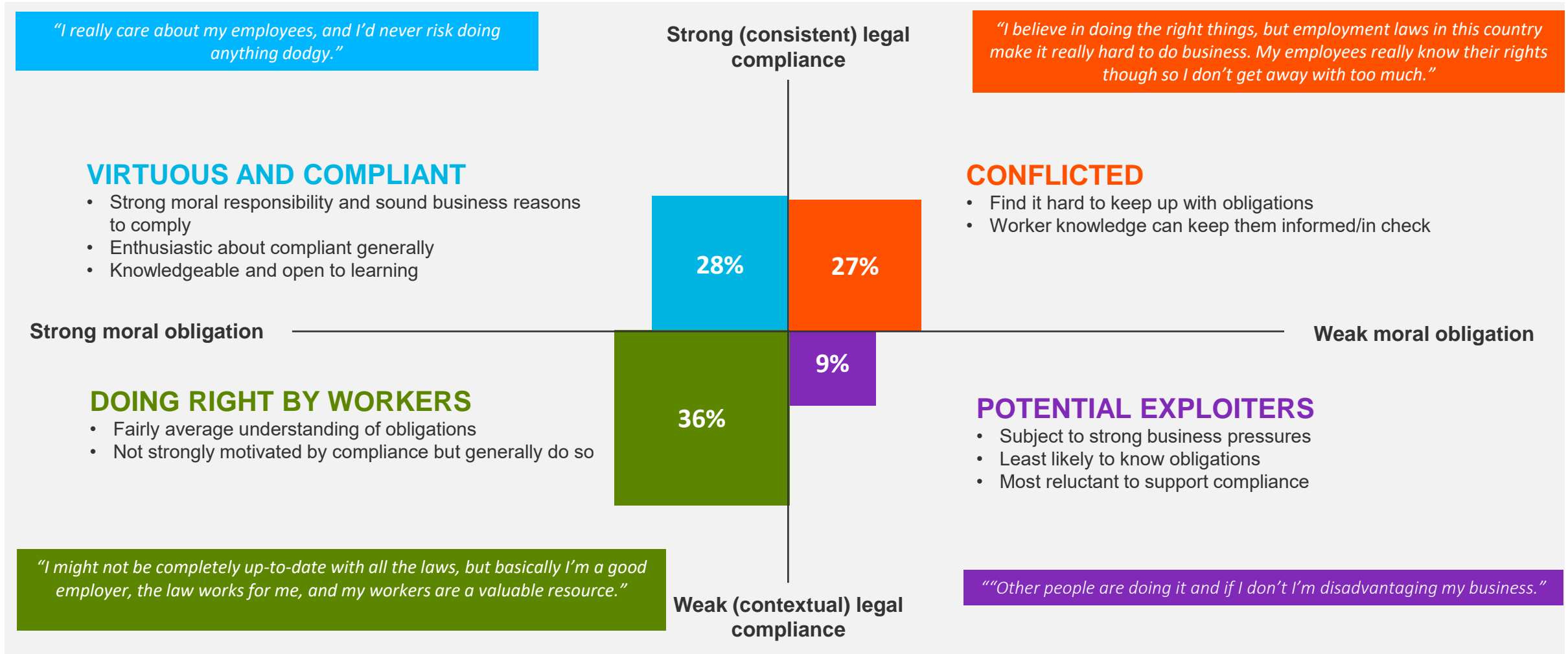
# What are the most at risk employer segments?

Over a third of employers could be at risk of slipping into exploitation. The group with the highest potential to do so (9% of those surveyed) have the weakest attitudes to moral and legal compliance. These types of businesses tend to be small and from ethnic communities.

Another group at risk are those conflicted (27%) as a result of business pressures making it hard to keep up with their obligations.

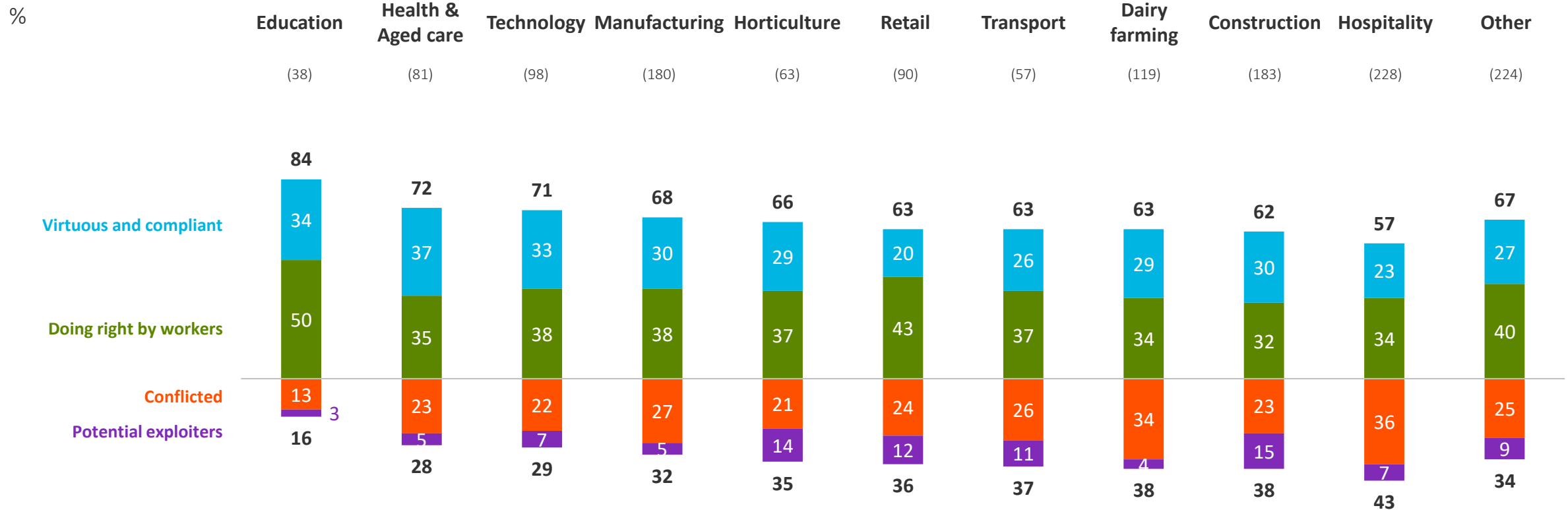
All segments favour punitive measures over rewards to encourage or enforce compliance with employment law. Those who are more compliant are more supportive of each the suggestions tested, whereas potential exploiters are less supportive.

# There are four groups of employers...



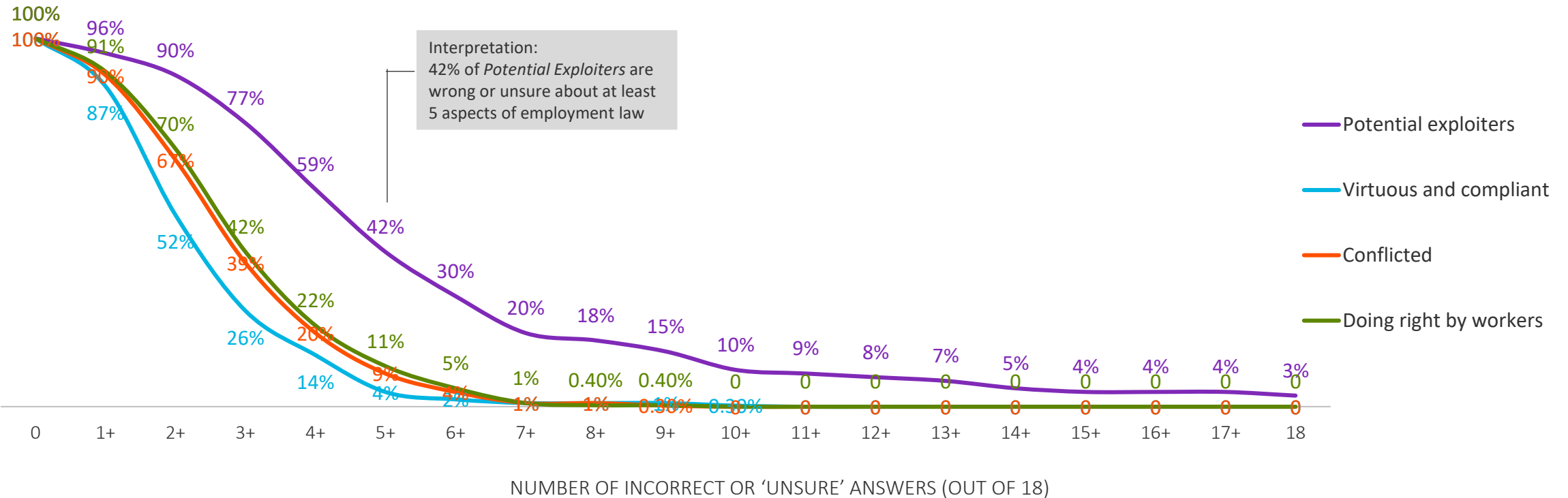
*Potential exploiters* are most common in Horticulture and Construction, whereas the *Conflicted* are most common in Hospitality.

### EMPLOYER SEGMENTS BY INDUSTRY



# Potential exploiters have much higher levels of incorrect knowledge or uncertainty about aspects of the employment law.

NUMBER OF INCORRECT KNOWLEDGE OR UNSURETY ABOUT EMPLOYMENT RIGHTS (CUMULATIVE DATA)





All segments favour punitive measures over rewards to encourage or enforce compliance with employment law (even the *Potential exploiters*). The *Virtuous and compliant* are more supportive of each the suggestions tested, whereas *Potential exploiters* are less supportive.

## MESSAGES AND INITIATIVES TO ENCOURAGE COMPLIANCE WITH EMPLOYMENT LAW

	Virtuous and compliant	Doing right by workers	Conflicted	Potential exploiters
Heavier penalties for employers who are caught exploiting or mistreating workers	67% ▲	49%	48%	21% ▼
Knowing that if they are caught exploiting workers, they could be banned from being a director or manager of people in a business	65% ▲	44%	47%	21% ▼
Knowing that if they are caught exploiting workers, they could be banned from employing migrants in the future	64% ▲	45%	51%	21% ▼
The inability to open new businesses if they are caught exploiting or mistreating workers	64% ▲	48%	50%	21% ▼
Knowing that if they are caught exploiting workers, they could be personally fined or taken to the Employment Court	62% ▲	45%	48%	15% ▼
Knowing that if their businesses are caught exploiting workers, they could be personally fined or taken to the Court	62% ▲	47%	50%	16% ▼
Having the names of business owners and businesses who break employment law publicly available in a website	61% ▲	46%	50%	23% ▼
Encouraging migrant workers to report employers who are exploiting or mistreating them	52% ▲	35%	35%	11% ▼
Increased investigations by authorities (Labour Inspectors or Immigrations Compliance Officers)	49% ▲	31%	30%	13% ▼
A compulsory 'good employer of migrant workers' scheme i.e. Employers need to be assessed as suitable before they are allowed to hire migrants	45% ▲	25%	29%	13% ▼
The new Migrant Exploitation Protection Work Visa, which allows migrant to leave the employer to find a job with a good employer	44% ▲	27%	27%	18% ▼
A voluntary 'good employer of migrant workers' scheme – i.e. employers submit an application and if assessed as suitable receive official declaration that they are a good employer	40% ▲	24%	30%	12% ▼
Knowing how much more productive and profitable my business would be if I treated my migrant workers well	40% ▲	24%	24%	14% ▼
An annual audit of employment practices by an independent party	38% ▲	24%	22%	12% ▼
When most businesses in my industry comply with employment law	38% ▲	20%	23%	11% ▼
Understanding the impact on the lives of migrants and their family if they are exploited or mistreated	33% ▲	18%	21%	9% ▼
Hearing from good employers about the benefits of treating migrant workers well	31% ▲	20%	15%	9% ▼
Knowing where to go to find more information about employment law	30% ▲	22%	26%	15% ▼
Knowing if other businesses exploit migrants to keep their prices down, every other business will have to do the same	10%	10%	12%	7%

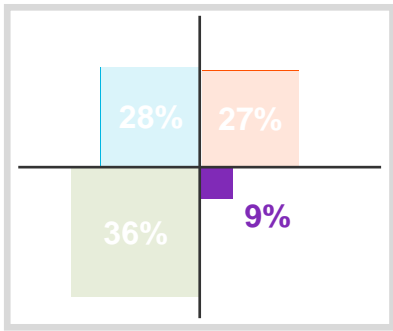
# A website dedicated to employment law and an employer helpline are among the most popular sources of learning for all segments.

## LEARNING AND INFORMATION PREFERENCES

	Virtuous and compliant	Doing right by workers	Conflicted	Potential exploiters
Website specifically explaining employment law	85%	81%	84%	72% ▼
A helpline/call centre for employers	74%	71%	77%	54%
Information in your own language	72% ▲	65%	63%	56% ▼
An employment newsletter/ or an email on different topics like holiday pay, paid parental leave etc.¹	69%	64%	65%	46% ▼
Receiving information about your employment responsibilities when you first register your business with the Companies Office	60%	59%	61%	44% ▼
Printed information about employers' obligations	55%	55%	55%	49%
Printed information in different languages about employment rights to give to your migrant workers	56% ▲	47%	49%	33%
Online learning interactive apps or course	53% ▲	44%	46%	36% ▼
In-person courses or seminars	51% ▲	40%	44%	36%
Live or on-demand webinars (online seminars)	51% ▲	40%	43%	39%
Live chat on a website	40%	37%	41%	29%
An employment expert present at events, where I can ask questions (e.g. Chinese new year, Diwali) ¹	38%	30%	32%	31%
TV, radio and/or press advertisements that tells me where I can find more information¹	24%	20%	28%	29%
Chat bot on a website	21%	19%	22%	30%

# While all segments largely consume mainstream media, ethnic media is important for a significant number of Potential Exploiters.

MEDIA USE				
	Virtuous and compliant	Doing right by workers	Conflicted	Potential exploiters
Using social media pages or apps	60%	61%	59%	42% ▼
<b>Any mainstream media</b>	<b>91%</b>	<b>87%</b>	<b>86%</b>	<b>64% ▼</b>
Reading mainstream national or community news websites or news apps	66%	60%	58%	26% ▼
Watching mainstream free to air television (e.g. TV1, TV2, Three) either live or on demand	60%	63%	55%	38% ▼
Listening to mainstream New Zealand radio stations	54%	52%	55%	33% ▼
Reading printed mainstream national or community newspapers, or magazines	31%	29%	29%	22%
<b>Any ethnic community media</b>	<b>9%</b>	<b>8%</b>	<b>8%</b>	<b>26% ▲</b>
Watching TV channels that are for my own ethnic community	3%	3%	3%	12% ▲
Reading national or community news websites or news apps that are for my own ethnic community	5%	5%	4%	11% ▲
Listening to radio stations that are for my own ethnic community	2%	3%	3%	8% ▲
Reading printed national or community newspapers, or magazines that are for my own ethnic community	3%	3%	2%	6%
<b>None of the above</b>	<b>2%</b>	<b>3%</b>	<b>5%</b>	<b>9% ▲</b>



**POTENTIAL EXPLOITERS** see themselves as under strong business pressures, and doing what they must to get by.

*“Other people are doing it, and if I don’t I’m disadvantaging my business.”*

**Many are smaller businesses, and half are non-NZ European and less able to understand English**

- 70% of survey respondents were male.
- 48% live in Auckland.
- Smaller businesses – 39% have 1 to 5 employees and 70% have less than 5 migrant workers.
- 24% are in Construction (24% vs 13% for other segments).
- 25% have Chinese workers.
- 50% of employers non- NZ European.
- Among those not born in NZ, only 52% can read/converse in English ‘very well’.

**Poor knowledge of employment law**

- 27% say they know only ‘a little bit’ or nothing at all.
- Lacked knowledge in six of the 19 employment areas tested on average.

**Current information sources often ineffective**

- 37% find it difficult to find information online.
- Cite relatively few useful information sources.
- Interested in range of information types, but greater call for basic information (35%) than other segments.
- Most helpful learning ideas considered to be:
  - Website explaining employment law (72%)
  - Information in their own language (56%).

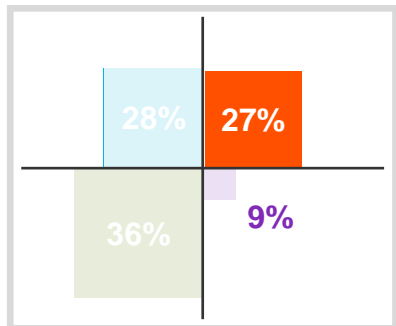
**Weak moral obligation to do the right thing**

- Sometimes you need to go against the employment rules to keep the business running (41%).
- Even if I have to pay fines and penalties it is worthwhile exploiting migrant workers (19%).
- It is really hard to make a profit in our industry, we need to do everything we can to get an advantage over the competition (71%).
- If other businesses in our industry exploit migrant workers, this must be ok for me to do it too (23%).
- Migrants owe employers for giving them a job (34%).
- If a migrant worker left, we could easily replace them (26%).
- I treat my migrant workers differently to my Kiwi workers (19%).
- Some of the Government’s employment rules and regulations make doing business difficult in my industry (84%).
- Employers don’t care if they break the law, because it takes too long for government to resolve the issue (34%).
- I find it difficult to understand my employer obligations in NZ (53%).

Generally the **least enthusiastic about ideas to improve compliance** – the ‘stick’ still seen to be more effective than the ‘carrot’.

**Most consume mainstream media, but ethnic media also important**

- 64% consume mainstream media and 26% consume ethnic media (highest of any segment).
- 42% consume social media (lowest of any segment).
- Less likely than other segments to belong to a business or community group (53%).



## CONFLICTED aim to do the right thing, but can find it hard going to do so.

*"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."*

### Industry profile and profile of workers (visa types) largely reflects industry averages. Key exceptions:

- 23% of *Conflicted* employers are in hospitality (vs 15% for other segments).
- Essential skills visa especially common in a *Conflicted* workforce (67% vs 56% for other segments).

### Need help to find suitable information

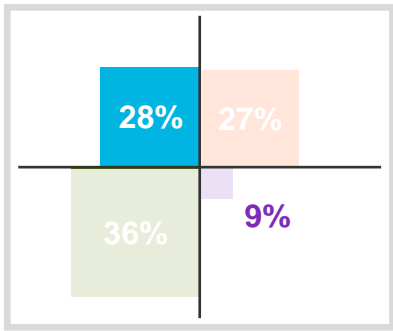
- 43% find it difficult to find information online.
- Most helpful learning ideas considered to be a website on employment law (84%) and a helpline/call centre for employers (77%).

### Want to do the right thing, but find it difficult

- If I knew my obligations, I would comply with them (94%).
- My migrant workers are aware of the NZ employment law (83%).
- I find it difficult to understand my employer obligations in NZ (40%).
- It is hard to keep up with immigration laws (97%).
- It is hard to keep up with employment laws (94%).
- It is difficult to find good NZ staff (99%).
- The employment law for migrant workers doesn't really work in the industry our business operates in (51%).
- It is really hard to make a profit in our industry, we need to do everything we can to get an advantage over the competition (63%).
- Some of the Government's employment rules and regulations make doing business difficult in my industry (98%).

### Mainstream media users

- Largely consume mainstream media (86%) and 59% use social media.



## VIRTUOUS AND COMPLIANT believe in both their duty of care and reputation as an employer.

*“I really care about my employees and I’d never risk doing anything dodgy.”*

### Larger businesses, and many with Indian workers

- Larger businesses: 33% have 50+ employees.
- 48% have Indian workers.
- Essential skills (64%) and Partnership visas (24%) common in workforce
  - Open visa (20%) more common than other segments.
- Gender balance of male and female employers.

### Very knowledgeable

- High self-rated knowledge of employment rights (96% ‘very well’ or ‘well’).
- Average of 17 correct answers out of 19 when knowledge tested.

**More enthusiastic** than other segments about learning opportunities and all suggestions made to improve compliance in the industry..

### Mainstream media users

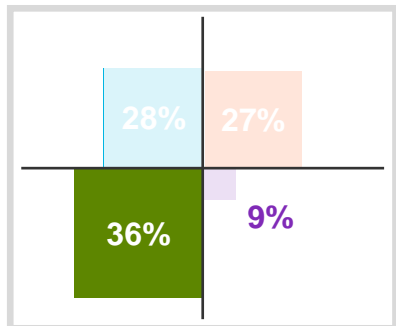
- Largely consume mainstream media (91%), and 61% use social media.

### Strong moral obligation and belief in the value of migrant workers

- Employers have a duty of care to and moral responsibility to help and support their migrant workers’ wellbeing (89% strongly agree).
- The better you treat employees, the more successful your business will be (94% strongly agree).
- The reputation of our business as a good employer is important to be able to attract skilled staff in the future (80% strongly agree).
- Employers who mistreat their workers don’t get caught because there are not enough government officials looking for bad employers (56% strongly agree).
- I know where to go or who to ask for help, if I need support with understanding my employment obligations (98%).

### Find it easy to get information and like regular updates

- List multiple sources of useful information.
- 89% find it easy to find information online.
- Rate each of the government websites highly.
- Keen to receive regular updates on employment (84%) and immigration (76%) law.
- Mainstream media (91%) and social media (60%) users.



## DOING RIGHT BY WORKERS middle of the road employers with decent knowledge and attitudes.

*"I might not be completely up-to-date with all the law, but basically I'm a good employer, the law works for me."*

**Industry profile and profile of workers (visa types) reflects industry averages.**

### Average knowledge

- Rate own knowledge of employment law as understanding it 'well' (52%) rather than 'very well' (32%).
- Tested knowledge is about average: 16 out of 19 correct answers.
- 22% lacked knowledge on at least 5 aspects of employment law

**Generally less enthusiastic** (than employers with a stronger moral compass) about suggestions for improving compliance.

### Mainstream media users

- Largely consume mainstream media (87%), especially TV (63%).
- 61% use social media.

**Reflect a 'middle of the road' stance attitudinally (across most attitudes measured), but of note:**

- 60% reject or only weakly support the notion that employers have a duty of care and moral responsibility to help and support their migrant workers' wellbeing.

77% find it **easy to find information** online.

### Top 2 learning ideas that would help:

- Website explaining employment law (81%)
- Helpline/call centre for employers (71%).

# Appendix



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HĪKINA WHAKATUTUKI

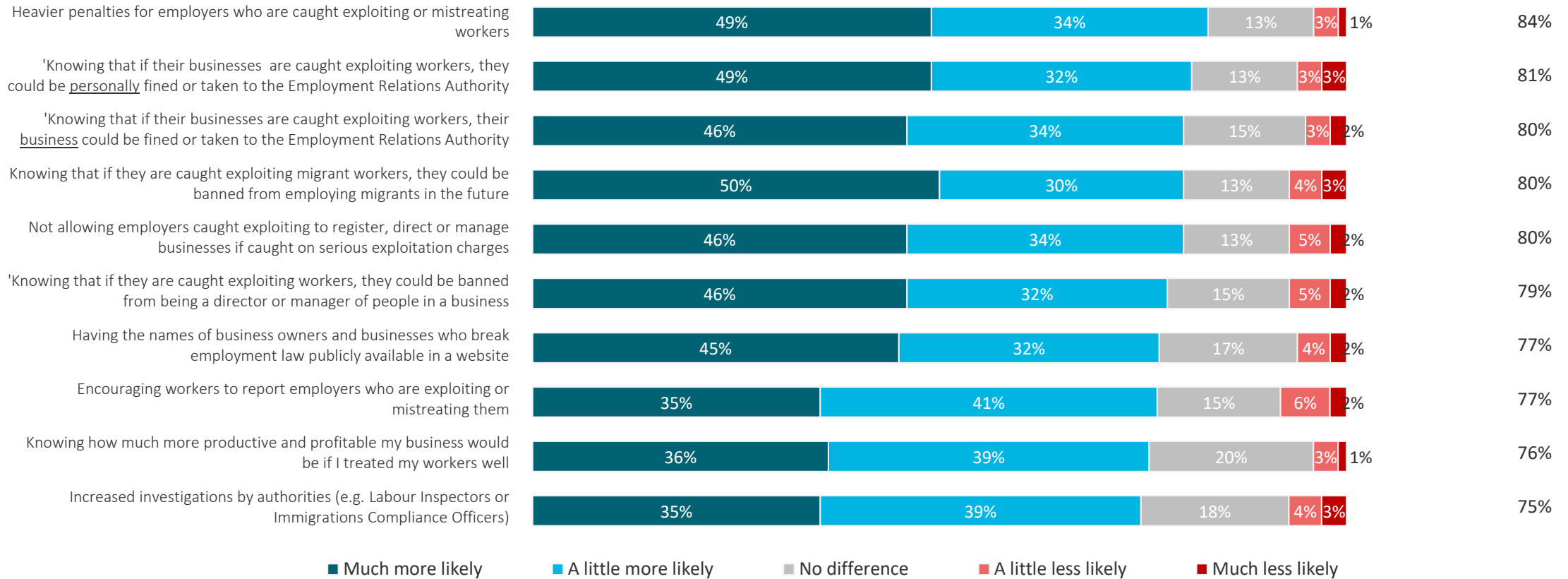


# Full results for benchmark employers' responses to suggested initiatives to encourage compliance.

## MESSAGES AND INITIATIVES TO ENCOURAGE COMPLIANCE WITH EMPLOYMENT LAW

### BENCHMARK EMPLOYERS

Much or a little more likely

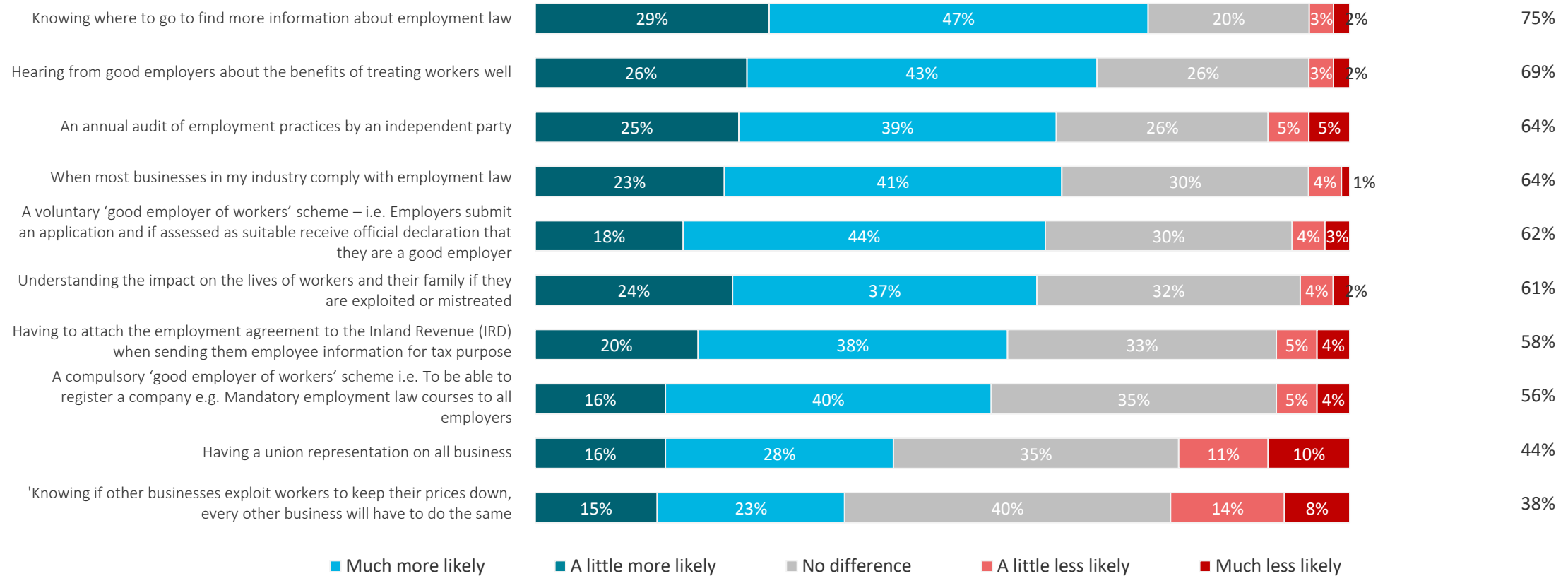


# Full results for benchmark employers' responses to suggested initiatives to encourage compliance.

## MESSAGES AND INITIATIVES TO ENCOURAGE COMPLIANCE WITH EMPLOYMENT LAW

### BENCHMARK EMPLOYERS

Much or a little more likely



## Other mentions of media channels migrant workers use, watch or read for their own ethnic community.

### MEDIA CHANNELS USED BY MIGRANT WORKERS FOR OWN ETHNIC COMMUNITY

Source	Radio channels	News Website/Apps	Newspapers/Magazines	TV Channels
<u>Other Indian News</u>	n/a	1 mention of each of the following: Times of India, NDTV India, The Indian News, <a href="http://www.radiotarana.co.nz">www.radiotarana.co.nz</a> , Hindi, Hiru News, The Hindus	1 mention of The Indian News	n/a
<u>Other Asian News</u>	1 mention of each of the following: Sri Lankan radio channel, RPN, Hindi radio station	1 mention of each of the following: Taiwan This Week, <a href="http://www.hk01.com">www.hk01.com</a> , Yahoo news Japan, NZ Punjabi, Yahoo news HK	n/a	1 mention of each of the following: Kapamilya Channel, TFC, 958, TV 29, Nepal TV, Vijay TV, Sw arnawahini, Hindi channels, asianet, Hiru, Kakao, Aajtak
<u>Other Sri Lankan</u>	n/a	1 mention of each of the following: Sri Lankan Kollo, Sri Lanka news, SriLankan, Sri LankaNZ website and social media groups, Rupavahini	1 mention of each of the following: Sri LankaNZ newspaper, Sri LankaNZ magazine	n/a
<u>Other Pacific Island</u>	n/a	1 mention of each of the following: Letio Tonga, Matangi Tonga Online, PMN, Live steamtonga	1 mention of Samoa Observer	n/a



FOR FURTHER INFORMATION PLEASE CONTACT

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