



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

# Employment Services –

## Re-alignment and Fair Pay Agreement Funding Savings

### Final Change Decisions

17 April 2024

# Introduction from GM Employment Services

Tēnā koutou,

I want to start by saying thank you for your engagement and participation in this consultation process. I acknowledge this has been an unsettling time and I am grateful for the views, insights and ideas you have shared with me on the changes we can make to reduce our costs and realign our organisational structure.

As explained in the consultation document, MBIE had already taken steps to make savings to return a significant level of FPA funding. These steps, including closing vacancies and accepting voluntary redundancies, mean I did not propose a further reduction to our net frontline positions. Those savings had already been made.

I proposed changes to reduce our enabling functions, including management, and to the mix of a few frontline positions. In addition, I proposed changes to re-align our structure to address an imbalance in team sizes and spans of leadership and to look for opportunities to operate more effectively and efficiently as a regulator.

98 pieces of written feedback from individuals and groups were received, including a submission from the Public Service Association (PSA). In addition, there were discussions through in-person and online sessions with groups, teams and individuals across the motu. All feedback was gratefully received and carefully considered.

This document outlines the key feedback themes received under each proposal, with my response and final decisions. This will allow you to understand how your feedback was considered and how this has affected final decisions.

Just like with consultation, this document contains a lot of detail, such as organisational charts. I've worked to ensure that as far as possible this document is an accurate reflection of every position and their final place in the organisation. However, there is a possibility that within the document something has been missed or is inaccurate. If there is an error, please let me know as soon as possible so it can be checked and then corrected.

Finally, this document outlines what happens next. I want to work quickly and constructively and provide certainty for everyone affected by this decision.

The first expressions of interest processes, recruitment of roles, and working with affected people on redeployment opportunities will start immediately. I expect the

new structure to take effect on 1 July. This transition period will give time for the new people leader roles to be in place as soon as possible, for subsequent recruitment and expressions of interest processes to complete, and for changes in reporting line to take effect. It will also provide time for us to make operational changes to transition to the new structure. It will meet the requirement to reduce our funding by 1 July 2024.

Some changes such as role titles do take time to go through our people and culture systems, so these may not all be visible on the date of go-live, but they will take effect as soon as practicable.

Work with you on changes to the operating models for the Inspectorate and Dispute Resolution has been underway for some time and will continue ahead of the new structure, with work to complete and embed it continuing this next year. Work is also underway on changes to the operating model, processes and procedures for Triage and Allocation, including additional changes resulting from your feedback to this consultation process.

Thank you again for your ongoing professionalism and dedication to doing a great job, which I see demonstrated every day.

Ngā mihi nui



**Katherine MacNeill**

General Manager, Employment Services



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# Overall change proposal and feedback

## Case for change

As I outlined in the change proposal, following a decision to repeal the Fair Pay Agreement (FPA) system, the Government also decided all funding provided to MBIE to support the FPA system would end by 1 July 2024.

This means the permanent funding for our employment relations services is now \$12.952m lower from 24/25 and out years. This is around 20% of our annual budget for 23/24 of approximately \$63.2m (including FPA funding). To implement the Government decision, we needed to take steps to reduce our expenditure so that we can operate within our new funding levels from 1 July 2024.

The funding supported MBIE's and the Employment Relations Authority's dedicated FPA functions. I consulted earlier this year on ending these functions, as the legislation was repealed, with 10 positions disestablished. Associated non-personnel spend has also ended, such as consultancy, travel, and overheads (eg property, ICT).

FPA funding also supported a significant expansion of MBIE's general employment services in the Labour Inspectorate, Dispute Resolution service, Triage and Allocation, information and education, our Service Centre and support to the Employment Relations Authority. It funded a combination of frontline positions, enabling functions including management, and non-personnel costs.

MBIE had already made savings through closing vacant positions, voluntary redundancies, reducing discretionary expenditure (such as travel) and taking steps to make our services more efficient. This meant I did not propose further net reductions to employee positions in our frontline services. However, savings were needed from our enabling functions, including management.

## What was proposed

I proposed changes to:

- reduce our costs, by reducing enabling functions, including management, and
- re-align our structure.

In proposing these changes, I also looked for opportunities to:

- ensure reasonable spans of leadership and team size,
- strengthen the efficient and effective delivery of our core services
- locally base teams to better support our people and people leaders,
- strengthen the accountability and leadership of our services, and
- support practice leadership and capability of our core services.

Overall, the changes proposed a net reduction of 11 FTE positions, from disestablishing existing positions and establishing new positions. There were also minor changes proposed to other existing positions, such as changes to reporting line, position scope, position title, and reassignment.

## Key feedback themes and corresponding decisions

98 pieces of written feedback were received overall. Feedback was also received through discussions held during the consultation period, at our branch webinar, at in-person sessions held around the country with our teams and individuals, and online sessions for individuals, teams and groups of kaimahi. All feedback was carefully considered.

From this, I heard that while you understood we needed to return FPA funding, you would prefer we retained it.

Many of you shared with me your support for the proposal to re-align our structure. You observed the proposed changes to our structure and operating model are good ones. You could see the opportunities in them to improve how our functions operate and to realign our focus to be a more responsive regulator with greater coherence and consistency between our services and teams. You also thought that combining some activities, like practice and capability support, presented opportunities to better deliver these across all our employment services.

Many of you were understandably concerned about the reduction in funding to our frontline general employment services, and the potential impact on the quality and timeliness of our services.

You were worried about making more changes to resourcing and how we work now. You said it was already an unsettling and busy time, with continued high demand from the public for our services. Many of you expressed your support that I was not proposing to reduce frontline team member positions any further. However, you were worried about reasonable workloads for our people. There were questions raised about how the structure would work in practice, concerns with a perceived reduction in development and progression opportunities, and the loss of institutional knowledge and skills from recent departures and closed vacancies.

I acknowledge this and your clear commitment to our services and the impact they have in upholding minimum standards of employment and supporting good, productive employment relationships. Your work makes a difference to lifting employment outcomes for thousands of employees and employers every year.

However, the FPA funding will end on 30 June 2024. This means we need to act now to change how we operate so we can return the funding and orient ourselves to deliver our core services effectively and efficiently in the future.

I was really pleased to receive a wide range of ideas and insights from you on how we can improve our services and deliver them more efficiently and effectively. I have agreed to many of the suggestions you shared, which will be designed and integrated into our operating model. Many of these ideas did not mean making changes to the proposals outlined, however they will support the proposals to work in practice.

The following sections provide a summary of the main themes of the feedback received under each proposal 1-5, my response and the final decisions.

This will allow you to understand how your feedback was considered and how this has affected the final decisions. It should be read in conjunction with the final structure charts at the end of each section.

At the end of the document there is a table setting out the 31 positions that are confirmed as disestablished, the 20 new positions confirmed as being established, and the minor changes to other existing positions required to implement these changes.

The **main changes** to the proposals I have made, based on your feedback, are:

<b>Dispute Resolution</b>	<ul style="list-style-type: none"> <li>• <b>Areas:</b> Eastern Area instead of South Auckland Area. Northern Area instead of Auckland.</li> <li>• <b>Locations:</b> change in office for individuals who gave feedback on this, subject to final confirmation with them.</li> <li>• <b>Resourcing:</b> 2 extra positions (DRC and Mediator) but still within total FTE count. Move 1 Mediator position to Christchurch (arising vacancy). Extended 2 fixed term DRC positions.</li> <li>• <b>Senior Mediators:</b> Provide dedicated practice time, rotating participation in DR leadership team, funding to travel to Areas to support Mediators when no Senior Mediator located there. Further discussions to co-develop our approach to Seniors supporting practice, with the Area Manager responsible for leading the Mediation Service.</li> </ul>
<b>Labour Inspectorate</b>	<ul style="list-style-type: none"> <li>• <b>Specialist Inspector:</b> remains in the Inspectorate, position title change to Lead Inspector and minor scope change.</li> <li>• <b>Compliance and Investigations:</b> changed balance of teams, number and ratio of positions, but within same total FTE count and number of teams.</li> <li>• <b>RSE:</b> Confirmed RSE will be in one team, Specialist Inspection</li> <li>• <b>Specialist Inspection:</b> changed number and ratio of positions to include fewer Principals and now include Seniors (and RSE)</li> </ul>
<b>Regulatory &amp; Advisory Services</b>	<ul style="list-style-type: none"> <li>• <b>Practice support:</b> Confirmed position title of Senior Advisor Practice and Workforce Capability; band is confirmed as R</li> <li>• <b>Triage &amp; Allocation:</b> Reconfirmed position of Manager, Triage and Allocation, with incumbent also reconfirmed and minor scope change. Extended 2 fixed term Triage Officer positions beyond 30 June.</li> </ul>
<b>Employment System Guidance &amp; Engagement</b>	<ul style="list-style-type: none"> <li>• <b>Principal Advisors:</b> No change to position titles</li> <li>• <b>Practice:</b> Band of Technical Leads confirmed as V</li> </ul>
<b>Employment Services Leadership team</b>	<ul style="list-style-type: none"> <li>• <b>Principal Advisor:</b> Alternative proposal for change in reporting line to Pou Whakatairanga.</li> </ul> <p><b>Please Note</b> that no final decision has been made in relation to this proposal as the final decision will be taken as part of Engagement &amp; Experience branch consultation process.</p>

# Embedding change

Transition, implementation, and embedding are phases which happen after a final decision is made. These phases focus on the critical things we need to do to bring our new organisational structure and ways of working to life.

## Transition

I want to work quickly and constructively and provide certainty for everyone affected by this decision. As the funding ends 30 June 2024, we will stand up our new structure from 1 July 2024 in 10 weeks' time. During this transition period, our current people leader structure continues. This gives time for appointments to the new people leader positions to be confirmed, subsequent recruitment and expressions of interest processes to be completed, and for changes in reporting line to take effect. It also provides time to make some changes to our approaches to support the new structure.

## Implementation

Those of our people directly impacted by a change to their position (as listed in the Annexes) will receive a letter confirming the change decision. The first expressions of interest processes (EOI) and Expression of Preference (EOP) processes and working with affected people on redeployment opportunities will start immediately.

Information on EOIs and EOPs will be published later this week on the Employment Services Team Site, with new and changed position descriptions. The first EOIs and EOPs will be open 22 to 29 April. These will fill specified new people leader and team member positions, open to people in specified disestablished positions (set out in this document). I expect to confirm outcomes of the EOIs and EOPs by 10 May.

Following these EOI and EOPs, we will run the EOP to implement changes in reporting lines for our Inspectors into the new Compliance, Investigations and Specialist Inspection teams. I expect this EOP to be open 13 to 17 May, with decisions by 27 May. Timing is indicative, depending on the first EOPs for people leaders completing.

If any new positions remain vacant after people leaders are confirmed and EOI and EOP processes completed, we will start recruitment. This will be phased from 15 May after people leaders for the teams have been confirmed. I recognise recruitment processes take time, so we will extend some fixed term arrangements or positions to support continuity of service delivery during this period.

Some changes such as position titles do take time to go through our people and culture systems, so these may not all be visible on the date of go-live, but they will take effect as soon as practicable.

## Embedding

Work with you on changes to the operating models for the Inspectorate and Dispute Resolution is well progressed, to align with our Regulatory Strategy. Additional changes from your feedback will be integrated into these processes. This work continues ahead of the new structure and will be ongoing for changes that require more time to design, test and implement, and then embed it. Work on the operating model for Triage and Allocation will run in parallel.

This does not impact on moving to the new structure, however our work on the operating models will support us to improve our service delivery and support the new structure to work well in practice ahead.

## Implementation timeline

Activity	Indicative Timeframe
Final decision released	17 April 2024
EOI and EOP processes, for specified people leaders and team member new positions (per decision document)	22 – 29 April 2024
Final confirmation of outcomes from EOI and EOP processes	10 May 2024, or earlier
EOP process for changes in reporting line for Inspectorate teams	13 – 17 May 2024
Confirmation of outcomes for Inspectorate changes in reporting line	27 May 2024, or earlier
Recruitment commences for any remaining vacancies	Phased from 15 May 2024
Date disestablishment of positions takes effect	By 30 June 2024
Stand up new structure	1 July 2024

# Proposal 1 – Dispute Resolution

## Summary of changes proposed:

Ref.	Proposed Change
1A	Disestablish five DR team Managers
1B	Establish four DR Area Team Managers, bringing together all DR services and people in each area: Northern, South Auckland, Central, and Southern.
1C	No further proposed reductions in frontline or team member DR positions.
1D	Reporting line change for all team member positions to the new Area Team Managers, based on a team member’s current office location.
1E	Re-assign three affected Bargaining Process Practitioners to permanent Mediator positions to reinforce our mediation service.

## Your feedback

The majority of the feedback understood the rationale for our resourcing levels reducing due to the end of FPA funding. Understandably, some people asked for additional resource for our services, and for fixed term positions to be turned into permanent ones, to meet demand and retain skills. However, Cabinet decided the FPA funding must be returned and therefore a significantly lower level of funding will be available ahead for our services, including for DR. Each service that was provided with FPA funding has seen a relative scale reduction to return to pre-FPA funding levels and resourcing.

A wide range of feedback was received, including alternative proposed structures for the DR unit. It was pleasing to see the level of support demonstrated for current people leaders in DR, and I recognise that the proposals for change to reporting lines come at a time when the service and our teams are already responding to the reductions in team member positions associated with recent departures. Some of you also commented there were opportunities to improve DR processes and approaches to improve delivery ahead, which we can progress through our operating model work, and don’t require structural change proposals.

There were also some great ideas for how to make further non-personnel savings. For example, there are opportunities for savings in circuiting from venues, travel and security. I agree and we are implementing costs savings in these areas, at the same time balancing the opportunity for people to have in-person mediation. We have also been communicating with regular users about the costs and lost slots caused by late cancellations, which causes more work for our teams. We hope this will lead to some change. Savings are also being found from our overheads, from the corporate functions and opportunities such as property savings. However, we still need to find savings from our personnel-related expenditure.

### Area-based teams

A lot of the feedback related to how to set up the new four teams. There was a range of views with support for the proposed Area teams and others suggesting alternative structures. Generally, there was recognition that change was required to our structure to reduce the number of teams and re-align them, due to the uneven size.

There were diverse views on the proposed approach of Area based teams, bringing all our frontline team members in the DR service together. Some of our kaimahi had worked under this same mixed-team approach in DR previously. In this group, some preferred the current hybrid model of specialist national-based teams and Mediation teams being area-based. Others said a completely area-based structure worked fine too in the past.

Those who supported it said the proposal for mixed-activity teams reflected the nature of Dispute Resolution as the overall service, with each role providing a different type of activity on a single continuum of ways to resolve employment relationship problems, whether through early resolution, mediation or case coordination. This was seen as supporting the one service, one team approach that has been developed for the DR unit over the past two years. Feedback recognised that aligning teams geographically is an opportunity for more coherence and consistency among the DR teams, to support and collaborate across functions, and to provide a more fulsome DR service to the public.

Some had concerns about the proposed change as they valued and did not want to lose their current team culture and people leader. They asked how connection would

“I am generally supportive of the concept of regional based teams. Having worked through the previous periods where this was in place. I think there will be a wonderful opportunity to support and collaborate across functions, to learn and grow as a team and understand the impacts/ ebbs and flows of each position and provide a more fulsome service

be maintained between the cohort of specialist practitioner roles if they were in different teams, and how we would maintain consistency of national practice and process. Some were worried it would be harder to communicate and coordinate, and that it could create conflict or tensions.

Many constructive and useful ideas were put forward to manage these risks, including retaining the existing practice sessions for these cohorts – coordinators, early resolution, and mediators – and the many communication tools that are available for everyday connection, which feedback suggested are used to great effect now and should continue under any structure.

"I am optimistic about change and strengthening service delivery."

You had practical questions on how national leadership for Mediation, Case Coordination and Early Resolution would work among the Area Managers, versus direct people leadership activities like performance and development or leave. Some wondered if the area-based approach would mean work would only be allocated on an area basis. To clarify, this was not the intent. Our DR Service is a national service and casework will continue to be allocated on that basis. Following the Pae Kahurangi trials on scheduling and caseloads, our approach to allocating cases will continue to evolve to better deliver our services and manage workloads, but the intent is that this continues on a national basis.

"Mediators dominate how we work. The Early Resolution facilitators and Dispute Resolution coordinators will be lost in the mix with regional offices."

Some were worried about the voice of coordinators and early resolution facilitators in mixed-activity Area teams not being heard. Some referred to specific historical issues between mediators and coordinators. Others thought these issues were in the past and not about structure but good culture and communication, supported by strong people leadership and people living our MBIE values.

Some saw case management and early resolution as quite different activities to mediation and wanted to retain these as stand-alone teams.

They proposed a range of alternatives for four teams instead of the proposal:

- Case Coordination team, Early Resolution team, two Mediation teams (either Northern/Southern or 1/2),
- Case Coordination team and three Area-based teams (mix of Early Resolution and Mediation), or
- Early Resolution team and three Area-based teams (mix of Mediation and Case Coordination).

I have carefully considered all of the feedback, including about how we maintain connection and consistency of practice at national level. I recognise that, whichever way we set up our structure, our activities are split across four teams, and we need to collaborate as a single DR service across boundaries of reporting lines.

This goes to the way we work and demonstrate our MBIE values. I expect that Mahi Tahī will be a key value in the way the teams in the DR Service work together, and how they work with all other teams in the branch as well as the wider group. My expectation is that the practice roles remain closely connected within each activity, and that we strengthen connection between the activities of early resolution, case coordination and mediation.

### Office locations

Some people were concerned that the proposal would result in changes to team members' current office locations. I would like to reassure you that this was not proposed, rather the proposal sought to align team members in their current offices with the new Area teams. However, during the consultation, some individuals expressed an interest in moving their office location. For example, because they currently work between two offices. As a result, I have decided that changes in office location will be confirmed individually, as part of changes to reporting lines. For clarity no one will be required to change their office location significantly unless they would like that to be considered

I confirm the final decisions are to:

- Disestablish five DR team managers
- Establish four Area-based DR managers
- Reporting line change for all team member positions to the new Area Team Managers, based on current office locations (except where a change in office has been confirmed individually)

The Areas will be:

- Northern – Auckland office
- Eastern – Manukau, Tauranga, Hamilton offices
- Central – Wellington and Palmerston North offices
- Southern – Christchurch and Dunedin offices

An EOI process with contestable reconfirmation will be used to fill the new Area Manager positions, open to the five affected DR Managers.



### Vacancies and balance of numbers between teams

Some of you asked whether vacancies in the future structure would be filled, and observed there was a need for more positions in some offices, like Christchurch. To balance teams out over time, vacancies will be considered on a case by case basis as they arise as to where they are needed most to meet service delivery across our services. For example, there is a vacancy arising in the Wellington office and this Mediator position will be recruited in the Christchurch office to meet local demand for in-person services and reduce the need for circuiting or pressure on the local mediators. This position is still shown as Central in the structure diagram due to the incumbent still being in position but will move to the Southern team.

You also asked if fixed term arrangements can be made permanent to meet service demand and for reasonable workloads. I have added to the structure:

- 1 DRC (0.8 FTE) to meet demand. This was possible due to the funding available from the collected part-time DRC positions across our teams. There is no net increase to total FTE as a result. It will be recruited in the Christchurch team.
- 1 Mediator (0.9 FTE) to meet demand. This was possible due to the funding available from the collected part-time Mediator positions across our teams. There is no net increase to total FTE as a result. We will review demand to decide where to locate and recruit this vacancy, it is currently shown in the Northern team in the structure chart.

I will also extend the two fixed term DRC positions to cover the recruitment period for vacancies, recognising the need to support service delivery during this time. These fixed term positions were to provide backfill for substantive DRCs and had been scheduled to end when those individuals returned from extended leave.

### Locally based leadership

There was a lot of feedback on having people leaders based in your local offices.

There was support for the move to locally based people leadership, with some people sharing they thought this is a logical move to improve face-time for team members with their manager and reducing the cost of multiple trips around the country. You believed team members will feel more involved and supported as a result. Others shared insights on how locally based teams could better support our people. You wanted to have a people leader who is present

"Day to day I work in an office where I am surrounded by colleagues, the majority of which are in the same team but I am the only one in my team in this office. This has presented its own challenges where I am (seemingly accidentally) left out of happenings... despite working in the same office every day."

and able to provide pastoral care, recognise the signs of stress/burn out, understand what is happening for their people and how best to support you.

Some of our kaimahi expressed a preference for remote leadership to continue, and that they valued their current people leader, and it worked well to support them. Some worried that this was intended to reduce flexible working and require people to be in the office all the time. As set out in FAQs and during discussions, however, this proposal makes no change to MBIE's flexible working by default policy, or to individual flexible working arrangements.

"The offices already cater for combined team building opportunities to sing songs and eat together. This appears to be the only reason for this change."

You also said this will also be a great opportunity for all our people to be better connected and supported in their regions with the senior support. You welcomed having a locally based team and said there was a need for an inclusive and collegiate work environment, particularly for those who are in the office most days.

### Practice and Service leadership and accountability

There was a lot of feedback on leadership and practice support for the DR service.


Many shared their support for the proposal that each Area Manager have an overall responsibility for one aspect of the DR service. You said this will create transparency, but also the opportunity for congeniality and collaboration across leadership of the service. With all aspects of the service having an equal voice at the table, and all Area Managers being able to understand the collective views of the diverse members of the team you thought this could lead to more robust decision making.

"The Area Managers having responsibility and accountability for each part of our service is a great step to ensuring that the entire system works well together, effectively and efficiently."

Some of you asked how it would work in practice, worried about who would manage their day-to-day work, leave and performance and development. To confirm, this is the Area Manager for their team. People leaders collaborate and share information to make decisions on leave that could affect a national service, and there are mechanisms in place now to manage this. The Service leadership role for each Area Manager is about leadership at national level for a function (eg Mediation). This goes to maintaining an overview of the performance of that function, demand and delivery, quality of service and timeliness, service innovation, capability and practice

development. Regular reporting and analysis at this service level is important and is reported to DRLT for shared discussion across our people leadership.

You shared concerns about the closure of the Principal Mediator position, through voluntary redundancy. You valued their skills and expertise, leadership, and institutional knowledge. There was however positive feedback that our Senior cohort can continue their important mahi in practice leadership, whether in coordination, early resolution, or mediation. I heard you say that the team of Seniors are well placed to undertake this work and that this could be a good way to support the practice leadership of the services.



"This could be a good way to support the practice leadership of the service, by building a strong team, spreading the load of the work and driving consensus decision making with regard to practice development."

There were questions about whether it was expected that Seniors would lead or support practice leadership. To confirm The Area Manager will lead the development of a function and will be supported by the Senior cohort for the function. Seniors continue their role in supporting the development of practice and activities within this, as set out in their current position description. This recognises the importance of practitioner-led approaches to the development of practice and services. Developing and maintaining a good working relationship between the Senior cohorts and Area Manager lead will be important, and time and priority for this.

You shared insights on how to support practice and capability in the proposed structure. You said it would be important in the regional team structure that each respective function retains a practice session/meeting to retain their identity in their role, and national consistency across the country. We agree, and this is intended to continue. Area Managers and those with responsibilities for their respective service will need to ensure that this is supported, given time, and maintained.

Case coordination and early resolution Seniors have time for practice activity as part of their role. To ensure Seniors Mediators also have adequate time for practice activity within their scheduled mediation role, we agree with the suggestion of three half-days per fortnight for Seniors to have for practice-related activities. We will keep this under review as to whether this provides adequate cover and manageable workloads.

A great suggestion was put forward that Senior Mediators should rotate through attending DR leadership team for practice-related discussions, to continue this aspect the Principal Mediator brought of a practitioner-led perspective. We agree, and this

will be implemented through a rota system for Seniors in each of case management, early resolution and mediation.

### **Progression**

Some asked whether the closure of senior positions through voluntary redundancy would impact on CAPP processes. The CAPP process continues under our collective agreement, with a round underway now, and progression will continue. This change does not include any changes to CAPP. This change does not create two different Seniors – all Seniors are on the same position description for their specialism (whether Senior DRC, ERO or Mediator).

For those who would like to pursue a career focused on practice leadership or other types of progression, this final decision confirms the new Regulatory Stewardship and Workforce Capability team in RAS and Technical Leads in ESGE. This brings activities on practice guidance, capability and processes into a central team to take a holistic view of the whole employment system, whether employment standards or relations.

It should be noted that it is expected these positions cover the breadth of employment, including DR, and that these positions will be filled through an expressions of interest process in the first instance to affected people, and then open for wider recruitment if not filled.

Please see **Proposals 3 and 4** for feedback and decisions on practice support from the RAS and ESGE teams, across our core employment services.

### **Bargaining Process Practitioners**

I also proposed to directly reassign the three affected FPA-funded Bargaining Process Practitioners, currently on secondment, to permanent mediator positions which are funded in our ongoing establishment.

This reflected their affected status, following the disestablishment of their BPP positions in February 2024, which were FPA funded.

I confirm the final decision to:

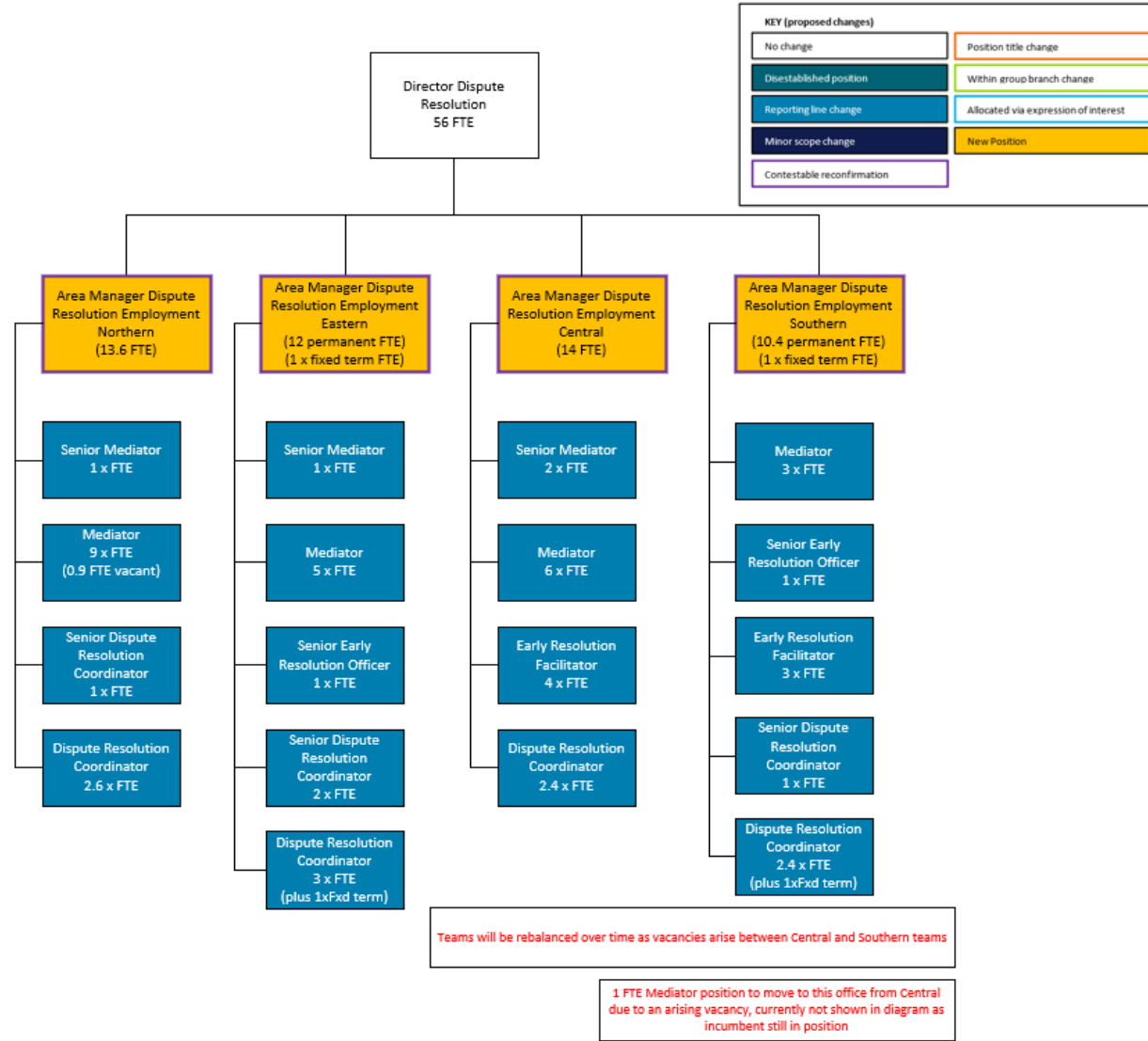
- Re-assign three affected Bargaining Process Practitioners to Mediator positions.

## Outcome from your feedback

After careful consideration of the feedback received, the final decisions are as follows:

Ref.	Outcome
1A	Disestablish five DR team Managers
1B	Establish four DR Area Managers, bringing together all DR services and people in each area: Northern, Eastern, Central and Southern.
1C	No further reductions in frontline or team member DR positions.
1D	Reporting line change for all team member positions to the new Area Team Managers, based on a team member's current office location or where an individual has requested a change in office.
1E	Re-assign three affected Bargaining Process Practitioners to permanent Mediator positions.

# Confirmed organisational chart – Dispute Resolution



# Proposal 2 – Labour Inspectorate

## Summary of changes proposed:

Ref.	Proposed Change
2A	Disestablish National Manager Compliance and Regulatory Practice
2B	Disestablish five Regional Manager positions
2C	Disestablish Manager, Determinations and Compliance
2D	No changes to the Migrant Exploitation Manager or team
2E	Change position title and reporting line for Manager, Labour Standards to Compliance Manager, Standards. No change for team
2F	Establish five locally based Area Manager positions, two for Compliance and three for Investigations
2G	Establish a nationally based Manager, Specialist Inspection
2H	No further proposed reductions in frontline Inspector positions. Inspectors of all levels would have a reporting line change to the new Area Teams through an expressions of interest process
2I	Change in position title, minor scope change and reporting line change for the MEX Specialist Inspector to Specialist Engagement Lead, reporting to Manager, ESGE
2J	Disestablish two Practice Leader positions, with new positions established in RAS and ESGE teams (see proposals 3 and 4).

## Your feedback

We received a considerable level of feedback on the proposed changes across the Labour Inspectorate. These changes were a mix of positive endorsement of aspects of the proposal, suggestions of alternate structural changes and considered amendments to improve what was proposed.

You expressed strong support for the changes and wanting to ensure there was a position for every current substantive warranted position in the future structure, and this being an important perspective to maintain if making any changes to it. There were a number of themes in the feedback, particularly suggesting an alternative spread of inspector positions across the proposed teams, and as we had acknowledged during the consultation process, we were open to considering alternatives.

## Reduction from nine to eight people leaders

As the Inspectorate has contracted following to the repeal of the Fair Pay system and to return FPA funding, you said it makes sense that this many people leaders are no longer necessary to manage spans of leadership.

Feedback was consistently supportive of the proposal that all front-line team managers should report to the Head of Compliance and Enforcement. You said an extra layer of management complexity isn't needed in a contracted version of the Labour Inspectorate. I heard from some it makes sense to disestablish the National Manager position established in 2022 to manage growth for Fair Pay Act activities.

"It is extremely pleasing to see that due to the Wellington Regional Manager vacancy, there are enough positions in the new structure for all substantive managers and that there enough frontline positions for all substantive inspectors."

I also heard from you that realignment is required in our structure as we have evolved as a regulator and to respond to the gaps in teams resulting from vacancies, resignations, retirements and voluntary redundancies. There was general support for a continued mixed national and regional approach to the new Inspectorate teams. You also commented that it was very positive that with eight new people leader positions proposed and eight incumbents, there was a place available for everyone, due to a current regional manager vacancy.

There was strong support for retaining locally based people leaders for the regional teams, which many said you valued and commented on how challenging being in a remote office from your team could be. Some worried the proposal meant people leader positions would be in only Wellington, Christchurch, and Auckland. I can confirm that this is not the intent. We do however have more offices than people leader positions – so some people will always be in offices remote to their people leader. However, the expectation is that a people leader would be based in one of the offices in their area and regularly visits the other offices where they have kaimahi.

## Compliance and Investigations teams

There was a range of feedback on the idea of Compliance and Investigations teams.

Many kaimahi supported the proposal, saying it is a positive step towards working differently and gives the capability and space to be more innovative in teams about their functions. You also observed the working group of our people to develop the new operating model for the Inspectorate signalled support to be in this space. Some said it indicated the importance of both compliance and investigations and would ensure we can be a responsive regulator and demonstrate our commitment to sustained compliance.

You said the proposed change is a good one if the focus is going to be on altering how the functions of the Inspectorate operate and realigning our focus. Some of the benefits you saw in setting up a clear compliance function that focuses on monitoring

"The split of compliance and investigations work is a great initiative.... an opportunity for the Inspectors as well as people leaders to choose their area of interest and work more efficiently and create maximum impact by channelling resources in the best possible way."

cases, alongside proactive work informed by risk and priority indicators identified through insights and intelligence analysis, was that this would enable a more informed and impactful approach. This should facilitate more proportionate and responsive regulation. You said that one of the more promising aspects of this is more time and more recognition for the work involved in the compliance aspect of Inspectorate responsibilities – which you thought at the moment can get overlooked and rushed in favour of investigations taking priority.

Others had reservations on how it may work. Some were worried that compliance might be seen as less important than investigations, or that it was less complex work and therefore might block progression opportunities. Others worried about workloads and whether they would get to do the spectrum of work or might be overwhelmed if it meant only complex, long investigations. You also raised concerns about managing the transition to this structure and the need to manage any handover of files carefully between Inspectors to minimise delays or double-handling.

### Specialist Inspection

You asked for more information on this team's work, which was provided through feedback sessions and the extra information on our Team Site. Following this, feedback indicated support for this team being established. We heard from you that this team was a great opportunity for lateral thinking to be applied, challenging the status quo and working differently to achieve better results and solve complex regulatory problems.

"I support experimentation to try to solve complex regulatory problems. This team needs a mix of people who understand all of the different enforcement levers and tools and are open minded about the tools and methods of other regulators."

The main feedback was on the balance of Principal Inspectors between the teams, with concerns raised about the workloads for Principals in the Investigations teams if there was only one per team. Conversely, you queried the need for five Principals in the Specialist team and the absence of Seniors in that team.

We are therefore re-balancing resource in this team:

- Three Principals, three Seniors and 1 Inspector

I have thought carefully about the feedback received, and on balance, I consider that the proposed approach to compliance and investigations teams provides an opportunity to strengthen our approach in the Inspectorate, with many of the benefits your feedback has echoed. I acknowledge the concerns raised, however these can be managed through careful design of workloads and activities for the teams.

I confirm the final decisions are to:

- Disestablish National Manager Compliance and Regulatory Practice
- Disestablish five Regional Manager positions
- Disestablish Manager, Determinations and Compliance
- Establish five locally based Area Manager positions, three for Compliance (Northern, Central, Southern) and two for Investigations (Northern and Central/Southern)
- Establish a nationally based Manager, Specialist Inspection

An expressions of preference (EOP) process will be run to fill the new Compliance, Investigations, and Specialist Inspection Manager positions. This will be open to the affected National Manager, LI Regional Managers and Manager Determinations & Compliance.

Following this, an expressions of preference process will be run to implement the change in reporting lines for Labour, Senior and Principal Inspectors to the new teams.

"This arrangement looks to ensure that everyone within the labour inspectorate still have employment during this time. I think at the end of the day, that should be the priority and is important perspective to have as we move forward with these changes."

### RSE Inspectors

Some of you made suggestions about where RSE Inspectors should sit within the structure, with a clear consensus we needed to keep this team together reporting to one manager. We agreed and said this during feedback sessions and in the FAQs.

Following the feedback, we have considered the best team to place RSE Inspectors in to reflect the important mahi they do now and to allow for the opportunity to look at how we best deliver RSE activity in the future as a specialist activity. You also told us the RSE work requires a specific skill set and is not necessarily suited to all Labour Inspectors or general experience. On balance, to reflect their mahi and the specialist role they play in maintaining the integrity of the RSE scheme, which is both employment and immigration systems, this will be in the Specialist Inspection team.

Work to support RSE will be allocated across other positions within this team (not just the two), and will call upon other teams as needed, within the resources provided by

Cabinet to the Labour Inspectorate for RSE activity. I also heard from you that it may be beneficial for conduct that warrants investigation to be done by other Inspectors who do not hold the ongoing relationship with the RSE employer.

To clarify in response to feedback, there is currently no additional funding provided to us from Immigration for RSE activity, we operate within the resources Cabinet has provided, although with the growth of the scheme this funding is less than the costs to us. As noted for the Triage and Allocation team, securing additional funding requires a decision by Ministers and Cabinet for this activity.

I confirm the final decision is to keep the RSE team together under one manager:

- change reporting line for the two RSE Senior Labour Inspector positions (and incumbents) to the Manager, Specialist Inspection

### **Moving between teams and progression**

I want to acknowledge that we have spoken about our desire to make the move for our people between compliance and investigations teams as seamless and easy as possible, and some have raised reservations about this.

There is some work to implement this into our systems and processes, but we believe this is achievable and hugely beneficial to the development of all our kaimahi that we make it happen. This can be, for example, through existing mechanisms such as temporary secondments and EOIs to existing kaimahi for vacancies as they arise. It can also be joint working on files between teams – for example, if a compliance case evolves into an investigation, it may be possible for the Inspector leading it to also work on the investigation as a development opportunity and to ensure a seamless transition of the case. This will depend on the circumstances.

We will also ensure the importance of compliance activity, as a core part of our graduated response model, is part of CAPP processes. Whichever team an Inspector is in, the people leader will need to work with their people on development plans and reasonable and varied workloads.

### **Balance of FTE and positions in teams**

There was a lot of feedback with views on how many positions and what mix of Labour, Senior and Principals should be in each team, and how many teams of Compliance or Investigations there should be. In general, this was due to concerns about development opportunities, support and quality assurance, and space for people to move to a team where they preferred to be in terms of function.

I want to start by saying that we have been clear that our desire is to have our kaimahi supported by their manager in their region and accommodate preferences where possible. While we may not be able to arrange all the management and teams in that way during this change, we are committed to constantly reviewing vacancies as they arise, development opportunities through attachments, CAPP progression and recruitment with the aim of achieving this.

I also want to clarify that the balance of FTE and positions in the proposal is not intended to be static, they can adjust. For example, if there is a CAPP round, the structure does not limit someone applying if there already a certain number of Seniors in the team. Over time, teams would re-adjust as vacancies arise to meet workloads across offices, balance numbers and experience, and provide development opportunities. In a similar way, we have previously sometimes run EOI processes for Regional teams, RSE or MEX positions as they arose, within the Inspectorate, to provide an opportunity to move teams, before advertising them more widely.

“The change proposal suggests balancing the number of seniors in each team. What does this mean for future CAPP rounds? Will successful applicants be required to change teams to balance the numbers? Will only a certain number of SLI positions be open?”

Teams will be filled through an EOP process. You will know which people leader is appointed to which position, as that EOP will complete first. We will ask for your preferences so these can be considered as far as possible.

The selection criteria are:

- Current positions: to achieve the number of positions in each team, and a mix of levels of seniority aligned with the final decisions (FTE#s and Labour Inspector/Senior/Principal)
- Current office location: to confirm the current location of individual’s office can match the Area teams
- Preferences expressed by individuals

This because we need reasonable spans of leadership (~10-15/team), and a reasonable balance of more and less experienced Inspectors to support the teams to function. A practical outcome would not be to have a team with only Labour Inspectors but no Principals or Seniors, for example, or for an Inspector at one end of the country to be placed in an Area team at the other end of the country.

The EOI is also not a progression process, as there are the same number of Inspector, Senior and Principal positions in the structure as substantive incumbents. However, there is a CAPP round underway now and any successful outcomes from that will mean the structure is also updated to increase the Senior FTE and reduce the Inspector FTE accordingly.

I heard that we should reconsider the size of the Northern compliance team. One reason was the sheer size of the region coupled with the density of workers and employers. The other strong feedback was the opportunity that is presented by having a larger compliance footprint to allow us to be more proactive in preventing harm across the region. Some of you gave us feedback that we may want to consider having a dedicated central compliance team as opposed to Central/ Southern compliance team and instead have a Central/Southern Investigation team. I have considered this feedback carefully and see strong merit in the suggestion as it demonstrates the importance we are placing on compliance activity. Based on our data we also know the volume of reactive investigations in these regions is a little lower allowing us to reconsider the resourcing we apply to each of the Compliance and Investigations teams.

We have therefore re-balanced the ratios and numbers in the teams. After the EOI and the changes to reporting lines are implemented, we expect we may need to make minor adjustments to the balance of FTE and ratios of levels in each of the teams to try to better accommodate people's preferences, within the criteria set out above.

### Specialist Inspector

Feedback was consistent that we should keep the role in the Inspectorate and reporting to the Head of the Labour Inspectorate, due to the operational activities the position undertakes and importance of this continuing for our operations and casework. The role plays an integral role in connecting our organisational response to our strategy and the strategic intent of our regulatory partners. As an operational practitioner the role also carries active cases and therefore is better placed in the Inspectorate, with all warranted, active Inspectors.

I confirm the final decision is:

- no change in reporting line.
- change to position title to Lead Inspector Strategic Alignment and minor scope change to better reflect the mahi done by the role.

### Position descriptions

You also asked whether the new structure would mean new or different position descriptions for the team member positions in the Compliance, Investigations or Specialist Inspection teams. As we explained during the consultation, the split into teams retains the role of Labour Inspector at Labour, Senior and Principal levels. It does not remove the ability to use the full graduated response model and powers available to the individuals as a warranted Inspector. We have not made changes through this process to the position descriptions for various Labour Inspector roles, or the spectrum of activities within the PD they may be asked to undertake.

There was also feedback suggesting some overlaps between the versions of the Senior LI and Principal LI position descriptions (PDs), and querying the extent to which coaching and quality assurance are included in the Senior PD compared to the Principal PD. We will work you to understand your concerns about the nature and extent of what each Senior and Principal role undertakes in relation to these activities.

### Compliance Standards team

"Compliance is much better suited to the work that the Standards team does including the Parental leave referral work which still involves compliance with the Act."

Feedback was supportive of the name change to the Labour Standards team, to better reflect the work of the team, including determinations on paid parental leave eligibility and minimum wage exemptions.

Some people asked whether this team should combine with the Early Resolution team in DR. However, it was clarified in 2022 that this team is not an early resolution team, although they use a guided resolution or educative approach where possible to achieve compliance with labour standards. Their work spans a range of compliance activities, and a warrant is necessary to require information from employers as part of their work. The team remains an important part of the graduated response model in the Labour Inspectorate.

However, it is noted there remains some overlap in the cases being triaged to this team and the DR early resolution team. It is not unusual that in the early stages of an inquiry, new information may mean a case needs to be referred to another service, or at the parties' request depending on the resolution they are seeking. Vice versa, should an applicant to early resolution prefer a compliance outcome, they should be referred to the Labour Inspectorate. In our refreshed operating models, being able to seamlessly hand over, with consent, these applicants seeking help, is an important area to improve on and this will be part of the work that RAS will be leading.



I confirm the final decision is:

- change in position title for Manager Labour Standards to Compliance Manager, Standards
- change in reporting line to Head of Compliance and Enforcement

### Practice

There were concerns about losing the Practice Leader positions in the Inspectorate, you valued their skills, expertise, institutional knowledge and close connection by being in the Inspectorate.

"Over time these positions would likely be replaced with non-LI specialists, and therefore that significant knowledge and expertise which helps to guide and shape our practice could easily be lost."

Some also worried about relative priority for support if there is limited capacity in the new structure. You also raised concerns with the maintenance of specialist professional knowledge and skills, and whether work would have to be picked up by the other team members given existing workloads.

Others supported the proposal, considering it would bring greater consistency to practice across employment services.

I have carefully considered this feedback, and wider feedback on the proposals to support practice and capability of our core services from RAS and ESGE as a centralised function. More information on this is set out under **Proposals 3 and 4**.

I confirm the final decision is:

- Disestablish two Practice Leader positions

### Outcome from your feedback

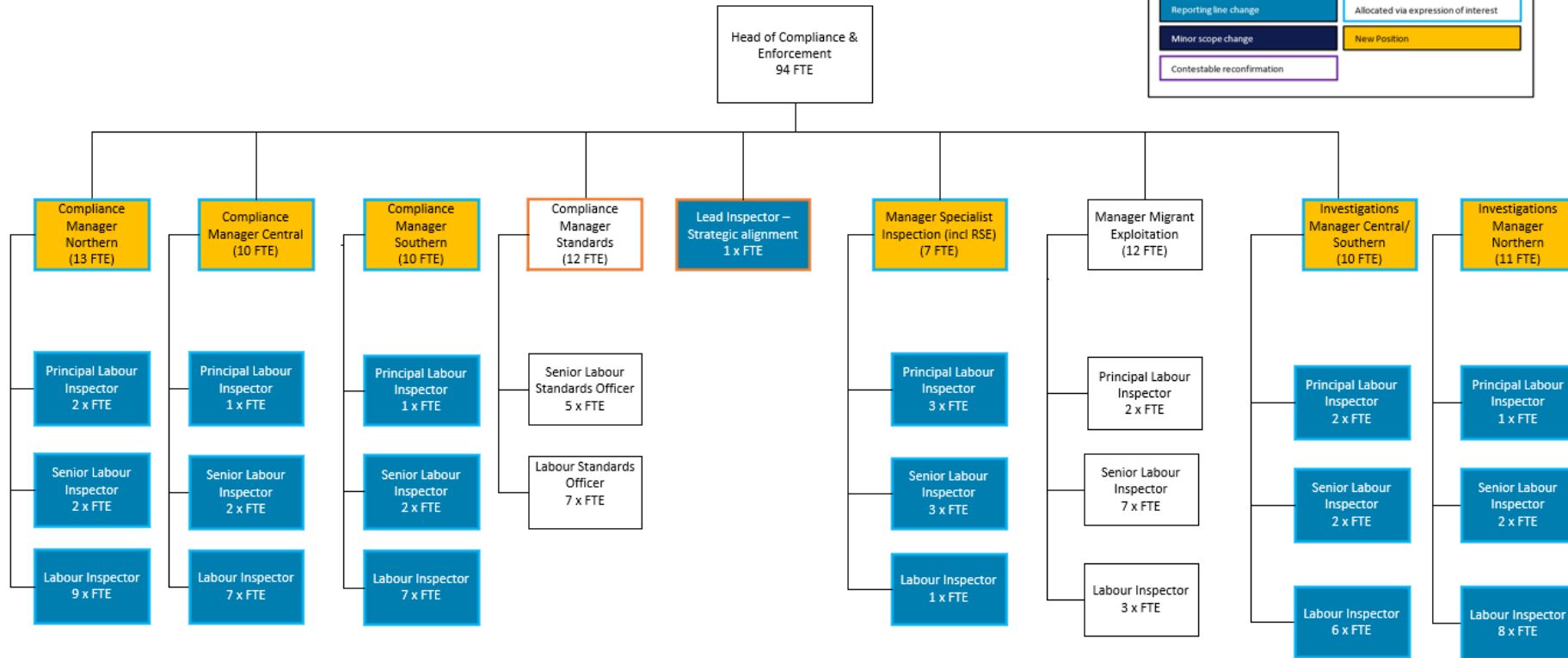
After careful consideration of the feedback received, the final decisions are as follows:

Ref.	Outcome
2A	Disestablish National Manager Compliance and Regulatory Practice
2B	Disestablish five Regional Manager positions
2C	Disestablish Manager, Determinations and Compliance
2D	No changes to the Migrant Exploitation Manager or team
2E	Change in position title and reporting line for Manager, Labour Standards to Compliance Manager, Standards. No changes to team
2F	Establish five locally based Area Manager positions, three for Compliance (Northern, Central, Southern) and two for Investigations (Northern and Central/Southern)
2G	Establish a nationally based Manager, Specialist Inspection
2H	No further proposed reductions in frontline Inspector positions. Inspectors of all levels would have a reporting line change to the new Teams through an expressions of preference process. Change in reporting line for the two RSE Senior Labour Inspectors to Manager, Specialist Inspection.
2I	Change in position title and minor scope change for the MEX Specialist Inspector to Lead Inspector, Strategic Alignment. No change in reporting line.
2J	Disestablish two Practice Leader positions, with new positions established in RAS and ESGE teams (see proposals 3 and 4).

# Confirmed organisational chart – Labour Inspectorate

**KEY (proposed changes)**

No change	Position title change
Disestablished position	Within group branch change
Reporting line change	Allocated via expression of interest
Minor scope change	New Position
Contestable reconfirmation	



# Proposal 3 – Regulatory & Advisory Services

## Summary of changes proposed:

Ref.	Proposed Change
3A	No change to the Support Team.
3B	Disestablish three Team Leader ERA positions
3C	Establish two Team Leaders ERA (Northern and Southern)
3D	Reporting line change for Authority and Senior Authority Officers to Team Leaders
3E	Reporting line change for Administration Officers to ERA Business Support Manager
3F	Change in position title and minor change in scope for Manager, Service Advice and Analysis (SAA) to Manager, Service Advice, Data and Information
3G	Establish Manager, Stewardship and Capability
3F	Disestablish three Business Support Analyst positions (FPA-funded)
3H	Disestablish two Legal Researcher positions (FPA-funded)
3I	Disestablish Senior Legal Researcher position (vacant)
3J	Reporting line change for existing positions from Manager RDI to Manager SDI
3K	Reporting line change for existing positions from Manager RDI to Manager S&C
3L	Position title change for Principal Advisors to new team (SDI or S&C)
3M	Change in position title for Principal Advisor Business Advisory Services to Principal Advisor Regulatory and Advisory Services
3N	Disestablish Practice Leader, Triage and Allocation
3O	Establish two Senior Advisor, Practice and Capability positions
3P	Disestablish Team Leader Liaison
3Q	Disestablish Team Leader Triage
3R	Disestablish Manager Triage and Allocation
3S	Establish Manager Triage
3T	Disestablish two Principal Liaison Advisor positions
3V	Establish two Triage Officer positions
3X	Repurpose a vacant Triage Officer position to a third Senior Triage Officer
3Y	Change in reporting line for all Triage Officers and Senior Triage Officers to new Manager Triage
3Z	Disestablish three FPA-funded Triage Officer substantively vacant positions, when secondments for temporary additional capacity end

## Your feedback

There was a general acknowledgement in the feedback that we had received Fair Pay funding to support an expansion of our Regulatory and Advisory Services across all teams, and that the Government decided this funding will end.

Feedback also recognised this was a realistic approach to a challenging situation and these changes were necessary to reduce MBIE’s expenditure in line with Cabinet decisions. As with other proposals in the consultation, however, some of you expressed a desire to retain the funding, raising concerns about high demand for our public services or from internal customers which exceeds resourcing available ahead.

However, as with all the proposals set out in this process, it is not an option for us to not return the funding as Ministers have made this decision already.

### ERA Support team

Feedback supported the proposed approach to deliver the remaining savings for the ERA from FPA funding through a reduction from three to two team leaders. Some people commented there would be advantages to having a Team Leader across two offices, to improve consistency of practice and processes. It was also observed that with a lower complement of Authority Officers, there will need to be clear expectations of the level of support that can be provided to the Authority, noting there is also a reducing number of ERA Members.

“Given the size and location of the teams, I think the reduction of Team Leads to two makes sense. ”

There was support for the proposed consequential changes in reporting lines for team member positions. Some people commented there was an imbalance in numbers of Seniors to Authority Officers, which is a result of progression through the CAPP process. In response, it is acknowledged that over time, we will use vacancies as they arise to rebalance resourcing across the three offices to meet the ERA’s support needs. Positions are likely to be advertised as Authority Officers as vacancies arise, to balance the cost pressures that arise from the increasing number of Seniors through CAPP progressions and workloads across the teams.

I confirm the decision is to retain a Team Leader structure and reduce from three to two Team Leader positions with locally based teams: Northern and Southern. The final decisions are as follows:

- Disestablish the three ERA Team Leaders
- Establish Team Leaders ERA, Northern and Southern
- Change reporting lines for Authority and Senior Authority Officers based on their current location to the new Team Leaders, and
- change reporting lines for ERA Administration Officers to the ERA Business Support Manager.

A contestable reconfirmation process will be run using an EOI process to appoint the new ERA Team Leaders Northern and Southern, open to affected ERA Team Leaders.

#### **Regulatory Data & Information (RDI) and Service Advice & Analysis (SAA) teams**

Feedback supported the change to combine the teams, recognising the reduced number of FTE team members, the planned departure of the Manager RDI in May 2024, and the reporting line changes.

“While asking to update a team title might seem trivial, I do think it is important for a team’s title to represent the work the team does.”

There were a number of alternative team names proposed, with variations on the words Regulatory, Advice, Data, Information, Insights and Analysis. You sought to ensure that the title represents the full breadth of work a team does, so both teams could see their work reflected in the title and said that the word ‘regulatory’ in the title was a key aspect.

There was recognition of the need to disestablish FPA-funded roles in the RDI team, and that FPA work would no longer be forthcoming. For example, without expected work to support the FPA system ahead, you said the workplace repository is now a high level administrative task and does not require dedicated resourcing of three Business Support Analysts. Some concerns were raised, similar to the ERA support team, about managing workloads for remaining team members, particularly the legal researchers. There was recognition also that work had been picked up to support other areas of MBIE such as policy to fill their time and capacity, and that this may need to reduce to ensure we can deliver on core service provision to the ERA. It will be important to set clear expectations of the resource we have available to support

the ERA and our other core MBIE services, and what capacity exists to offer this capability more widely. There was a concern about progression opportunities with the vacant Senior Legal Researcher position being closed.

I confirm the final decisions is to combine the RDI and SAA teams and to name the new team the Regulatory Data and Information team, and to:

- disestablish 6 FTE positions in the RDI team: 3 Business Support Analyst positions, 2 Legal Researcher positions and the Senior Legal Researcher position
- change position title and minor scope change to Manager SAA to the Manager Regulatory Advice and Data (RAD), and
- consequential change in reporting lines for 11 existing positions to Manager RAD
- change position title to Principal Advisor RDI to Principal Advisor Data and Information

#### **Stewardship and Workforce Capability team**

Overall, feedback supported the establishment of a centralised team as a logical move to consolidate and improve practice leadership.

You said it would allow for greater standard-setting across our employment services, with more opportunity for “joined up thinking” across the lifecycle of employment disputes, to consider impacts across our services when changes are made, and when there are changes to employment law or practice. You also observed it would be beneficial to move practice leadership into this team to refine our operational processes and priorities while we navigate providing essential services with fewer people. You said it would help make the most of the resources, skills and expertise we have available across all our core employment services. This would support the quality and consistency of operational practice across our services and better support our overall regulatory outcomes.

I heard that currently practice, training and application of business processes is often siloed, meaning inconsistencies and different interpretations. You said that having technical specialists grouped together with a common focus makes sense and will go a long way to addressing this. Some said that while the central improvement hub for change requests worked well, there were still change decisions being made by services which impacted the work of others. One respondent reminded that in a January 2017 Martin Jenkins' current state assessment of our services, one of the key findings was that 'greater consistency was needed to be an effective regulator'.

Many welcomed the help this team can provide to each service to improve their processes, procedure, and build capability and commented this improves on the support RAS already provides to all services in the branch. For example, it was observed that the learning facilitator currently runs the Inspectorate cohort training programme and this approach could be extended to other services, reducing the load on Managers, Principals and Seniors. Feedback supported the valued role and specialist skills RAS already brings to support Promapp and ISO certification of our processes and the development and improvement of case management systems including Resolve and TIKA.

You said a close relationship and communication between this team, leadership teams and Seniors on the services' needs for development and support would be critical. You highlighted the important and valuable role that Senior technical positions in the ERA, Triage, DR and LI have as the experts and liaison between the central team and their services to ensure practice is developed, communicated and coached together to frontline roles, and reflects practice realities and experience.

"Having technical specialists grouped together with common focus therefore makes sense and will go a long way to addressing the siloes and inconsistencies. It is also important though that "senior" technical positions (e.g Senior Triage Officers, Senior Early Resolution Officers, Principal Labour Inspectors) remain in place and be the technical liaisons between this team and their respective units to ensure practice as developed by this team is communicated and coached to all frontline operational roles."

Some preferred that the Practice Leads in LI and Triage and Principal Mediator positions be retained, saying this connection would be lost in a central team. Some feedback also suggested that you are worried if there is constrained capacity it might mean some services lost out to others being considered higher priority. Other concerns were the potential loss of expertise or institutional knowledge over time, or progression opportunities for practitioners.

I have carefully considered all the feedback, particularly how we maintain connection with practitioners. This goes to the way we work and demonstrating our MBIE values. I expect that Mahi Tahi will be a key value in the way this team and the new positions in RAS and ESGE work with all other teams in the branch as well as the wider group, to share best practice and innovations between our services and other regulatory systems with similar services. My expectation is that the practice roles remain closely connected with the practitioners in RAS, LI, and DR and vice versa.

The SWC team will work across our employment services. This reflects that the team will not only be responsible for ensuring areas of practice across employment services remain lawful, fit for purpose and customer-focused, it reinforces the capability to continually keep a focus on our regulatory stewardship obligations, outcomes and strategic direction.

#### More detail on the Senior Advisor and Technical Lead positions

Some of you wanted more detail of how work would be split, and skills/expertise required of the Senior Advisor and Technical Lead positions. We provided draft position descriptions during the consultation and shared in consultation discussions more details about the expected activities and role these positions would play.

The Senior Advisor roles are about supporting how we do things better in practice, whether it is through learning and building practitioner capability, developing practice guidance, or improving our processes and systems. This includes these kinds of activities, with a mix of leading and supporting:

- assurance our services deliver quality and consistency of advice and practice
- improvements to operational and regulatory functions, eg developing solutions put forward for changes to processes, systems or practice
- delivery of practice guidance, advice and information
- projects to implement new and changing legislation or case law
- design and delivery of learning programmes for our practitioner workforce

The Technical Lead positions provide specialist employment law knowledge and advice, providing input to policy development, our internal practice and external guidance and engagement. Deep technical expertise in employment law and in employment practice experience is essential. **Proposal 4** has more information.

I confirm the final decisions to:

- establish the Manager, Stewardship and Workforce Capability
- establish two Senior Advisors, Practice and Workforce Capability
- change reporting lines for the Business Analyst, Principal Advisor, Learning Facilitator and Senior Advisor Design and Implementation to this Manager
- change in position title and minor scope change for the Principal Advisor to Principal Advisor Stewardship.

An expressions of preference (EOP) process will be used to fill the Senior Advisor PWC positions, open to the three affected Practice Leaders (LI and Triage and Allocation).

### Triage and Allocation

Overall, there were concerns like our other employment services about high demand and wait times. Feedback recognised the currently high demand from increased reports of migrant exploitation, with over 2,600 reports YTD 23/24 (at time of consultation) compared to 933 for the full year 22/23. .

“Many front-line teams within MBIE have not been impacted by restructuring and reduction of staff and support for the staff within these teams such as, for example, the Service centre and teams within INZ.”

Some raised that other areas of MBIE weren't seeing the same level of reduction to frontline services. There was also recognition the additional resourcing in this team was temporary or FPA-funded, and that this funding will end. This is separate to fiscal savings.

You provided a lot of feedback saying there was significant room for improvement to the operating model and processes of this team. I heard from you concerns the current structure has been inefficient and has led to overly complex triage and liaison processes and significant assessment of complaints. This potentially has been stepping slightly into the realm of the Labour Inspectorate, Immigration, or Early Resolution, meaning double handling without commensurate added value.

Some of you thought the structure should not change. They said that resourcing is and would be too low and asked how volumes will be managed. They wanted to retain the positions, look to expand the team, and the leadership structure with one or two Team Leaders.

There was also support for the proposed structure and observations it could meet demand ahead, subject to changes to the operating model simplify processes and expedite assessments and policy changes flowing through. You observed the policy changes made already to the AEWV scheme and to the MEPV policy settings, which are intended to intervene earlier to reduce migrant exploitation and you thought this should reduce demand for this service and make assessments simpler.

You shared many alternative structures and approaches. These were wide-ranging from some saying there is no need for the Triage and Allocation team or its service, to proposals to merge it into the Labour Standards team, to moving the services to Information & Education, Immigration or the Inspectorate, and finally to seeking additional funding to expand the services. Many of you noted these suggestions may be outside the scope of the proposal, as they would not address the need to return FPA-funding and reduce costs, although they may contribute to the goal of re-aligning our structure to better deliver our core services.

“I support the proposed changes to disestablish the various team leader and manager roles and reassess the Triage and Allocation Function, I don't believe the current structure has been efficient and has led to overly complex processes and significant assessment of complaints.”

Some supported the disestablishment of dedicated liaison positions, saying liaison activities had not operated as intended for some time and went beyond the original scope and intent of the role in the 2022 operating model. These people said core liaison activities could be integrated into other processes in the operating model.

“I agree with this proposal. The role, for a number of reasons including the lack of uptake by the Labour Inspectorate due to mismatched expectations of the role, the lack of regular engagement with industry sectors and the reluctance of community agencies to provide migrants with the support required, has failed to fulfil the intentions of the role.”

Others disagreed, and questioned how liaison services would be delivered by the team without dedicated positions. They highlighted the value of liaison services, and putting people at the centre of the process, and asked to keep the dedicated roles. They also worried the changes to policy settings and the AEWV scheme and MEPV would take time to come through to demand, and how the queue of cases currently in backlog would be reduced under proposed resourcing levels.

There were different perceptions of the activities comprising liaison support, which are set out in the 2022 INZ-ES joint operating model and for clarity are:

- 1) providing a Report of Exploitation Assessment (ROEA) Letter where criteria are met, enabling application by the migrant worker to INZ for the MEPV,
- 2) providing advice, information, and connection to support services necessary for the migrant worker's everyday life in New Zealand, and
- 3) liaising between the migrant worker and the LI or INZ investigating lead/unit to keep the person informed on the progress of the investigation, and any visa they may have applied for.

### Suggestions for an improved operating model

You shared with me insights on how the team can operate differently and more efficiently ahead.

You suggested specific early resolution applications should no longer be triaged by this team, to reduce workloads and expedite services to those applying, who are not reporting exploitation. You said indications of potential unreported migrant exploitation could be identified in the initial contact and referred, with consent, to triage and MEPV assessment. Similar to what we do for mediation applications. Other said that a smart webform could act as a filter to direct incoming reactive complaints to the Inspectorate and DR, without assessment by Triage, with filters doing the same in the Service Centre for phone reports. Business rules would need to be updated or established to achieve this, particularly to manage transfer of cases between services.

Some observed it would operate more effectively for the migrant workers and more efficiently for the team if issuing ROEA letters is integrated into triage assessment. You said this would reduce double handling and wait times for complainants, supported by interpretation, and was manageable as currently many ROEA letters are being issued by Triage Officers to manage volumes as a temporary hybrid process. This needed to be embedded into established practices for consistency and efficiency.

Ideas were put forward to more rapidly connect workers to support services if the liaison positions were disestablished. While the data shows one of the most common supports migrant workers ask for is financial assistance, the INZ assistance scheme ended in March 2024. Other valuable support connections reported include visa process support, which I heard the Customer Service Centre, INZ or Licensed Immigration Advisors should provide. They also included services outside MBIE such as food banks, community groups, counselling, job seeking support. People said that because there was limited support we can provide directly, these connection points could be more quickly and effectively provided by the Customer Service Centre for workers calling the 0800 to report exploitation. This has benefits of longer opening hours, short answer times, greater capacity to meet peaks of demand, and interpretation. It could also transfer them quickly to another MBIE 0800 line if the help they needed was (eg advice on applying for a visa). It was suggested that for workers reporting through the webform or referrals, the first place for immediate

information on support connections was the ENZ website, and then by the Triage Officer allocated the case who typically makes initial contact with the migrant worker.

There was feedback that, since inception, work to support migrant workers on the investigation pathway has been delivered primarily through the investigation lead/team, not the triage and allocation team. There was strong feedback that given the volume of investigations in Immigration and the Labour Inspectorate, it would not make sense for the triage and allocation team to attempt to provide this level of ongoing 1:1 support for people reporting exploitation during the investigations process after the triage process. They considered this also to be double-handling and less efficient. It was observed that our kaimahi who work on investigations are or need to be skilled in and capable of engaging effectively and sensitively with migrant workers and keep them informed as to the progress of their case and connect them into the INZ-led visa process.

These suggestions are really valuable insights from those close to this service or working closely with the service. Many of these changes will be worked through a design process and integrated into our operating models, led by the new Stewardship and Workforce Capability team.

Some people suggested liaison support should be expanded into engagement, information and education for migrant workers. However, others questioned why the team would do this type of engagement work, when there is already a dedicated joint INZ-ES migrant exploitation information, education and engagement programme. Existing support and advisory pathways for migrant workers are provided by MBIE through the Employment New Zealand and INZ websites, Information & Education teams, and Service Centre. Engagement, information and education activities remain with the current teams responsible for them across MBIE; they are not part of the triage and allocation team under the current operating model.

This means Triage Officers will:

- issue ROEA letters as part of an integrated triage assessment process, and
- provide information on support services available to migrant workers during initial contact.

Triage Officers will not:

- support migrant workers through the ongoing investigations or visa processes. This sits (as now) primarily with the leads and teams for those investigation and/or visa processes in Immigration and the Inspectorate.
- triage specific Early Resolution applications, these will go directly to the Early Resolution Service for allocation.

#### Triage and allocation resourcing

You supported my proposal to establish 2 FTE new permanent Triage Officers and a third permanent Senior Triage Officer. You said this would make what has been a temporary arrangement permanent. You also said the extra Senior supported greater capacity, skills and expertise to give oversight through allocation of cases, quality assurance of casework, and to deliver their own caseloads and escalation of more complicated cases. Some asked for four Seniors, others felt three was adequate with process improvements. Some asked why some other teams seem to have more Senior positions and which increase over time. This is due to the CAPP framework for progression under our collective agreement.

“The team request additional employee support and resources to address ongoing backlog, high volumes, and impact of the accredited employer model failings.”

A few asked why FPA-funding impacts this team and why reductions are proposed to a front-line team at all. Others were worried if this represented an overall reduction in resource for the migrant exploitation work of this team. As explained in the change proposal, the team received FPA funding for three extra Triage Officer positions to deliver expected additional volumes of FPA-related complaints. This is no longer forthcoming. The three positions are substantively vacant now. They have been filled on secondment to support the team to manage the high volumes of reports and these are due to end no later than 30 June 2024 when the FPA funding ends. This is the situation for all frontline services and enabling functions that received FPA funding, across employment services. Cabinet decided MBIE cannot retain it.

In addition, we had also established 2 FTE fixed term positions to support the team over the past year as surge capacity on a temporary basis, also filled on secondment. Once the FPA-funded and temporary extra positions ended, we would have returned to the previous permanent establishment of 10 FTE Triage Officers.

Some observed that my proposal therefore represented a net increase of 5 FTE frontline positions in the permanent establishment, compared to the original Triage and Allocation team established in 2021 with the dedicated migrant exploitation funding. You told me the original team was 11 FTE: 1 Manager, 6 Triage Officers, 1 Senior Triage Officer, 3 Principal Liaison Advisors. The proposed team is 16 FTE: 1 Manager, 12 Triage Officers, 3 Senior Triage Officers. This means the new structure provides more overall frontline positions for this service than when it was originally established, although a different mix. This recognises work volumes.

A suggestion was made to move liaison support to another area of ES branch or MBIE, for example into INZ, if that meant there would be additional funding available. However, a change in structural location does not change the funding source for this work, or the level of funding available, which was set by Cabinet in 2020.

I agree with the compelling feedback that it is important to continue providing extra capacity in the current situation of high demand. We put in place temporary additional resourcing to meet demand over the past year and to support our people. I also agree with you on there is an impact from delays in triaging reports of exploitation on the individuals involved and the integrity of the immigration and employment systems. It would impact on the ability of the Labour Inspectorate (or other regulators, such as Immigration) to progress investigations or compliance activities to address breaches of employment or other law and remediate these. Where reports are contractual or relationship matters, it also delays and exacerbates the problems that are referred to early resolution or mediation.

However, our core employment statutory services are also under significant demand pressures and any additional resourcing beyond what I proposed would mean commensurate further reducing resources available to those services that deliver on our statutory obligations.

I acknowledge feedback the proposed scale and structure of the team at 15 FTE is manageable on the basis of changes to operating model and lower demand or simplicity of cases from changes to immigration settings for the MEPV and AEWV scheme flowing through. I also

“Maintain the current staff until a more suitable time for reassessment. Structure the team with one manager, at least one team leader, three seniors, and the remaining positions as triage officers.”



acknowledge feedback that continued support is needed in transition to address the current backlog in assessment.

I set out steps at the end of this section that have been and will be put in place to support the team to work through their current backlog and to transition to the new operating model for triage and allocation. We will continue to adapt and improve how we operate to manage our triage and allocation services ahead for greater efficiency and effectiveness. I will also keep the resourcing of this team under review.

I confirm the final decisions to:

- Disestablish three substantively vacant FPA-funded Triage Officer positions, when secondments end, but no later than 30 June 2024, and
- Establish two new permanent Triage Officer positions
- Establish a new permanent Senior Triage Officer position
- Disestablish the two Principal Liaison Advisor positions

The Senior Triage Officer position will be filled through an expressions of preference (EOP) process in the first instance, open to the Practice Leader Triage and Allocation.

Substantive vacant positions in the new structure will be filled through recruitment. I have also decided to extend the two fixed term Triage Officer positions through the period of recruitment to fill the new and vacant permanent Triage Officer positions, to support service delivery at a time of high demand.

#### Additional steps to support the team with workloads and process improvements

I have thought carefully about what additional steps we can take to support this team with the demand for this service, and to manage the transition to a new operating model for triage and allocation. Some of these have been outlined above.

I have worked with the Director RAS and Head of Compliance and Enforcement on the following steps that are already underway or will be taken:

- extend the two fixed term Triage Officer positions through the recruitment process for the new and vacant Triage Officer positions
- will not disestablish the FPA positions until end June to help manage current levels of demand and the transition period

- provided 8 FTE additional temporary support from the Labour Inspectorate and Early Resolution teams to rapidly address the triage queue
- provided file support through the Support Team, equivalent to 2 FTE positions
- the Senior Advisor Design & Implementation will lead work to streamline and improve the operating model, so that less resource is needed for an assessment
- changes to AEWV scheme settings came into effect on 7 April, and along with changes to MEPV settings, this is expected to flow through into reduced demand, and enable simpler assessments ahead, reducing workloads
- changes to our website content and dedicated information and education programme for migrant exploitation, to reach migrant workers earlier including offshore and prevent exploitation and reduce demand for the service or assist them to connect into support options or visa changes without coming to triage.

#### Practice Leadership

Feedback on the practice proposal is primarily set out in the Stewardship and Workforce Capability section above. As with other teams, there were concerns about relative priority of this team for support if there is limited capacity in the new structure. You also raised worries on maintenance of specialist professional knowledge and skills, and whether work would have to be picked up by the other team members given existing workloads.

Others said that the new approach would work, as long as the transition is managed, and there is capacity to support the triage team.

As outlined above, I have confirmed the establishment of the Stewardship and Workforce Capability team and Technical Leads, who I expect to also support the Triage team as a core service. I have also set out steps to manage workloads and resourcing within the Triage and Allocation team, through changes to their operating model and structure. The SWC team will lead this practice, process, and systems work and support these changes to be implemented, working closely with the Manager, Triage and Allocation.

In addition to the support the SWC team will provide on practice and workforce capability, the Technical Leads will provide specialist expertise. Although the Senior Triage Officers' responsibilities currently cover the expected range of work activities remaining to be undertaken, I agree there is a need for an additional position to be

"I support this if the proposed positions in the newly established Stewardship & Capability team provides adequate support to the Triage team, especially while we are streamlining processes."

established to support Senior-level workloads ahead. As above, I will keep resourcing of this team under review.

I confirm the final decision to:

- Disestablish the Practice Leader

#### People leadership structure

There was a lot of feedback on spans of leadership for the team. Some strongly supported disestablishing team leaders due to the reduction in team size. They agreed there was no longer a requirement for team leaders to manage spans of leadership and said this was a similar approach being taken to other services.

There was feedback that 17 FTE is too large a team for one manager. The 17 FTE indicated in the change proposal included the two fixed term Triage Officer positions, as the proposal was to disestablish the three FPA positions. I have clarified in the updated structure diagram to indicate that after the two fixed term positions end as scheduled, the team is 15 FTE establishment positions reporting to the Manager. While it depends on the functional area, spans of leadership are expected by MBIE to be around 10 to 15 FTE for a frontline team of this kind. There was clear feedback from people leaders that 15 FTE is a manageable size of team to address demand. This is on the basis of clearing the backlog, implementing significant process improvements, clarity on the work the team undertakes as a core service, and lower demand expected from the policy changes to the AEWV and MEPV flowing through. It was also observed in feedback that the Manager Triage and Allocation position description has not changed and should therefore be reconfirmed.

I confirm the final decisions are to:

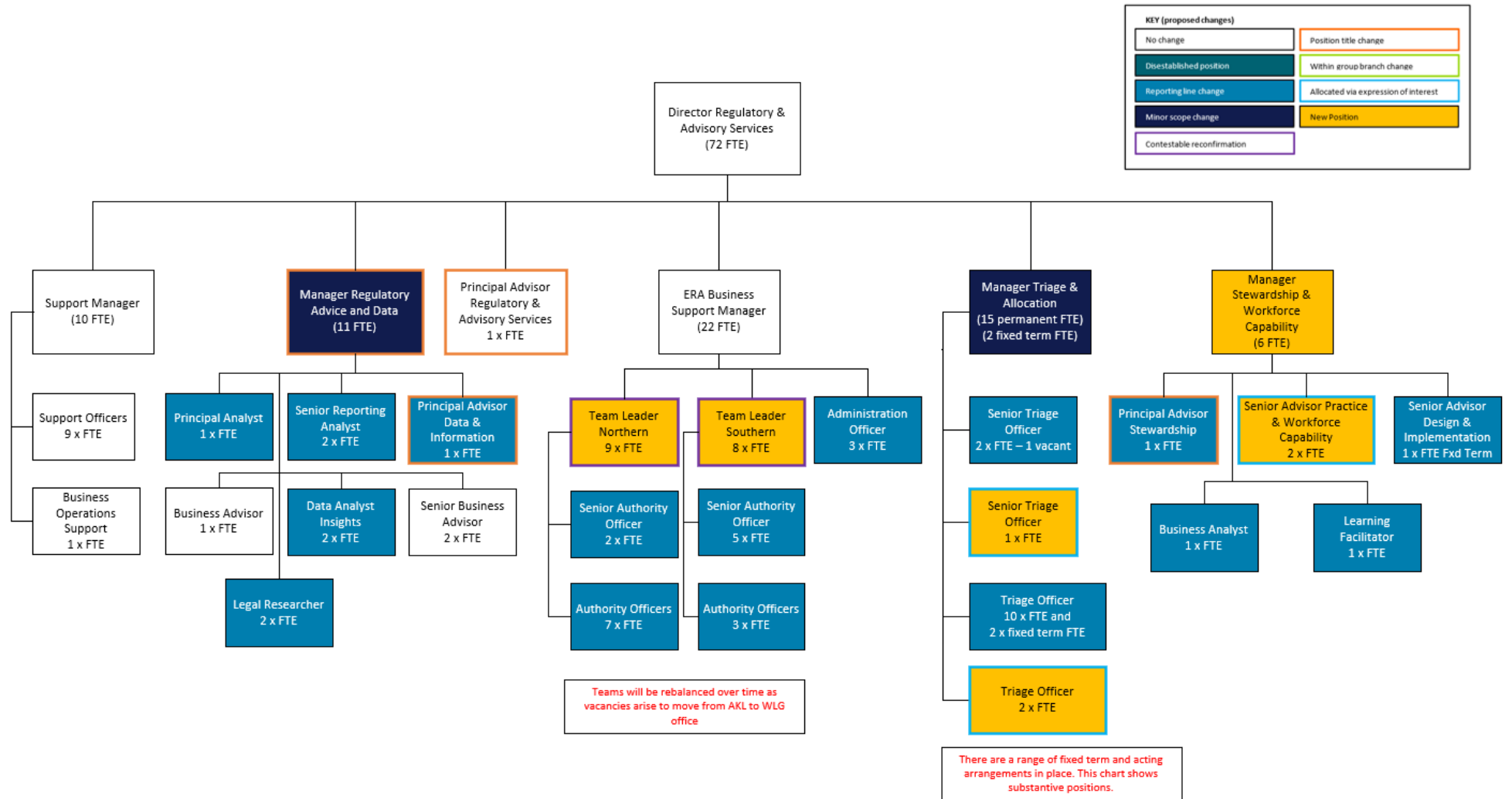
- Reconfirm the Manager Triage and Allocation position, with a minor scope change and the incumbent reconfirmed
- Disestablish the Team Leader Liaison position
- Disestablish the Team Leader Triage position

## Outcome from your feedback

After careful consideration of the feedback received, the final decisions are as follows:

Ref	Outcome
3A	No change to the Support Team.
3B	Disestablish 3 Team Leader ERA positions
3C	Establish 2 Team Leaders ERA (Northern and Southern)
3D	Reporting line change for Authority and Senior Authority Officers to Team Leaders ERA Northern and Southern, based on current locations
3E	Reporting line change for Administration Officers to ERA Business Support Manager
3F	Change in position title and minor change in scope for Manager, Service Advice and Analysis to Manager, Regulatory Advice and Data (RAD)
3G	Establish Manager, Stewardship and Workforce Capability (SWC)
3F	Disestablish 3 Business Support Analyst positions
3H	Disestablish 2 Legal Researcher positions
3I	Disestablish Senior Legal Researcher position
3J	Reporting line change for 8 positions to Manager RAD: Senior Reporting Analyst (2), Principal Analyst, Principal Advisor, Data Analyst Insights (2) and Legal Researchers (2)
3K	Reporting line change for 4 positions to Manager SWC: Business Analyst, Learning Facilitator, Principal Advisor, Senior Advisor Design & Implementation
3L	Change in position titles for Principal Advisors to Principal Advisor, Stewardship and Principal Advisor, Data and Information
3M	Change in position title for Principal Advisor Business Advisory Services to Principal Advisor Regulatory and Advisory Services
3N	Disestablish Practice Leader, Triage and Allocation position
3O	Establish two Senior Advisor, Practice and Workforce Capability positions
3P	Disestablish Team Leader Liaison position
3Q	Disestablish Team Leader Triage position
3R	Reconfirm Manager Triage and Allocation position and incumbent, minor scope change
3S	Disestablish two Principal Liaison Advisor positions
3T	Establish 2 new permanent Triage Officer positions
3U	Establish 1 new permanent Senior Triage Officer position
3V	Change in reporting line for Triage and Senior Triage Officers to Manager Triage & Allocation
3X	Disestablish 3 FPA-funded Triage Officer substantively vacant positions, when secondments for temporary additional capacity end (by 30 June 2024)

# Confirmed organisational chart – Regulatory & Advisory Services



# Proposal 4 – Employment System Guidance & Engagement

## Summary of changes proposed:

Ref.	Proposed Change
4A	Establish two new positions of Technical Lead in the ESGE team
4B	Change in position title for two Principal Advisors, ESGE to System Guidance and Engagement Lead

## Your feedback

Feedback across the proposals relating to Practice leads and the Stewardship and Workforce Capability team is also relevant. This is primarily set out under **Proposal 3**.

Some of you asked for more details on how work would be split between these teams and the expertise required of the Senior Advisor and Technical Lead positions. We provided draft position descriptions during the consultation and shared in consultation discussions more details about the expected activities and role these positions would play. A benefit some saw was the progression opportunity into these new positions for employment practitioners from within our services.

The Senior Advisor roles are about supporting how we do things better in practice, whether it is through learning and building practitioner capability, developing practice guidance, or improving our processes and systems. Proposal 3 has more information.

The Technical Lead positions provide specialist employment law knowledge and advice, providing practitioner and expert input to policy development, our internal practice and external guidance and engagement. Deep technical expertise in employment law and in employment practice experience is essential.

I heard from you how the Technical Leads could help us to continually improve our employment law practice in our services. A benefit suggested for the positions being in the ESGE team was taking a consistent and robust approach to our external guidance to the labour market on how to get it right and how to get it wrong across minimum standards, contractual matters, and how people get into dispute.

You also supported the Technical Leads’ expertise and advice being valuable to lean into collaboration with the SWC team to develop and write internal practice guidance and learning for our services. Some suggested these positions could also sit in the SWC team.

I considered that option as it would bring benefits of a single central team for internal practice. On balance, I was persuaded of the dual role the positions have facing internally, but importantly externally as well. They will work closely with the ESGE Technical Content Creators to develop external guidance and with the E&E branch and ESGE Principals and Senior on engagement, information and education, bringing essential deep technical knowledge. Our Practice leads do this now to varying degrees, and this is critical to ensure we change the behaviour of employers and employees, have consistent published guidance with our own practice, and quickly get case law and changes in legislation into employment practice on the ground – in MBIE and in the wider labour market.

There was also feedback they would bring essential practitioner and employment law specialist expertise to policy development. For example, the changes underway to the Holidays Act and personal grievances, as well as case law changing our understanding of employment legislation. These require a significant level of interpretation and implementation into our internal and external practice guidance.

An expressions of preference (EOP) process will be used to fill the Technical Lead positions, open in the first instance to the three affected Practice Leaders.

### Position title change for Principal Advisors

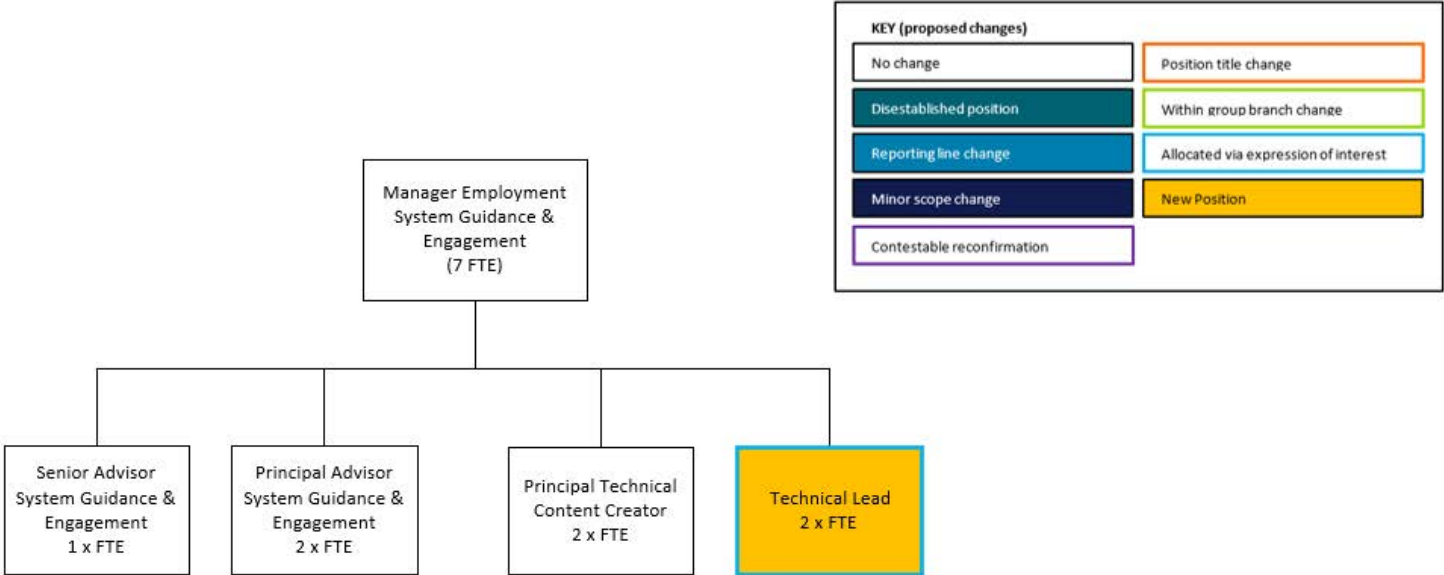
The only feedback was support for consistent position titles. As set out in Proposal 2, I have decided not to change the reporting line for the Specialist Inspector to this team. This means that I will consequentially not change the position titles for the ESGE Principal Advisors, as there is no need to align position titles.

## Outcome from your feedback

After careful consideration of the feedback received, the final decisions are:

Ref.	Outcome
4A	Establish two new positions of Technical Lead in the ESGE team
4B	No change in position title for two Principal Advisors, ESGE

# Confirmed organisational chart – Employment System Guidance & Engagement



# Proposal 5 – Employment Services Leadership Team

## Summary of changes proposed:

Ref.	Proposed Change
5A	Change in reporting line for Principal Advisor Māori to the Manager Community Partnership, Engagement and Experience branch and minor change in position scope

## Your feedback

I had proposed a change in reporting line for our Principal Advisor Māori to the recently established Community Partnership team in the Engagement and Experience branch. This recognised that engagement and partnership with communities is a critical part of any regulator. For us it is essential to raise awareness of employment rights and obligations and peoples’ ability to understand and act on these. Better reach and lifting employment outcomes for Māori, Pacific peoples, temporary migrant workers, and youth are four of our five Regulatory Priorities. In our Regulatory Strategy, we also said that being a good Treaty partner was a key capability shift we needed to make as a regulator – across all of our functions, including information and education.

In proposing this change, I wanted to see Employment Services and the Engagement and Experience branches work even closer together on information, education and engagement, and building the reach and capability of our services to connect with and deliver for these communities, as one of our core functions as a regulator. This is one of the earliest, lowest cost and most effective interventions we can make to prevent harm from arising and supporting those who do experience it, to seek help from our services or others as early as possible. By working closer with the Community Partnership team, we can engage and work in better partnership with those communities identified in our Regulatory Priorities, and with community organisations, to achieve this goal and lift employment outcomes together.

You shared with me the importance this role can play as part of our response to being a better Treaty partner. You also said that if we are to strengthen our partnership with communities then there is also a need and an opportunity to further strengthen our investment in building our internal capability to be able to deliver more culturally appropriate services for the different communities we serve. There was a risk you saw that the community partnership team is primarily focused on external engagement, and there was an opportunity instead to lift our capability to engage and in how we deliver our services – to achieve the same outcomes I set out.

## Outcome from your feedback

This was compelling feedback and I agree. Since my change proposal was published, there is now a new proposal to change reporting lines for Principal Advisors Māori across our Te Whakatairanga’s branches to the Pou Whakatairanga.

This new proposal recognises the important part our Principal Advisors Māori play in providing high quality specialist strategic and pragmatic advice, as well as programme design, to ensure that each branch in the Group is well positioned to support lifting the outcomes for Māori. It aims to support our services, interactions and engagement improve to better meet the needs and aspirations of Māori in all the work we do.

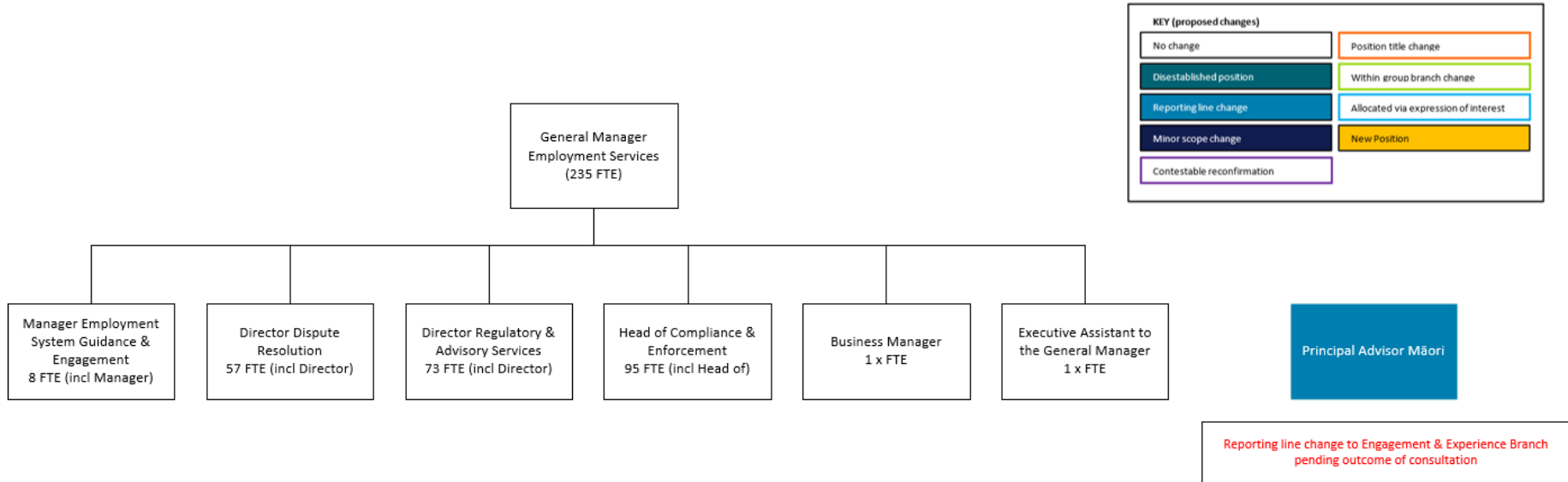
They would take a portfolio approach and would continue a connection to our branch, services and with our Leadership team – bringing what has and continues to be an important and valued perspective to our leadership discussions and to building our internal capability.

As this proposal is now under consultation as part of the Engagement and Experience branch change proposals, I am not making a final decision now. It will be taken alongside the final decision on the Engagement and Experience change proposal.

After careful consideration of the feedback received, the outcome is:

Ref.	Outcome
5A	No final decision. This will be taken as part of the Engagement and Experience branch change process with a proposed change in reporting line for the Principal Advisors Māori to the Pou Te Whakatairanga, Engagement and Experience branch.

## Confirmed organisational chart – Employment Services Leadership Team



## Summary of changes

### Confirmed new positions

Decision Ref.	Position title	Reporting to	Unit
1.B	Area Manager Dispute Resolution Employment (Northern)	Director Dispute Resolution	Dispute Resolution
1.B	Area Manager Dispute Resolution Employment (Eastern)	Director Dispute Resolution	Dispute Resolution
1.B	Area Manager Dispute Resolution Employment (Central)	Director Dispute Resolution	Dispute Resolution
1.B	Area Manager Dispute Resolution Employment (Southern)	Director Dispute Resolution	Dispute Resolution
2.F	Compliance Manager Northern	Head of Compliance & Enforcement	Compliance & Enforcement
2.F	Compliance Manager Central	Head of Compliance & Enforcement	Compliance & Enforcement
2.F	Investigations Manager Northern	Head of Compliance & Enforcement	Compliance & Enforcement
2.F	Investigations Manager Central / Southern	Head of Compliance & Enforcement	Compliance & Enforcement
2.F	Compliance Manager Southern	Head of Compliance & Enforcement	Compliance & Enforcement
2.G	Manager Specialist Inspection	Head of Compliance & Enforcement	Compliance & Enforcement
3.C	Team Leader ERA Northern	ERA Business Support Manager	Regulatory & Advisory Services
3.C	Team Leader ERA Southern	ERA Business Support Manager	Regulatory & Advisory Services
3.U	Senior Triage Officer	Manager Triage & Allocation	Regulatory & Advisory Services
3.T	Triage Officer	Manager Triage & Allocation	Regulatory & Advisory Services
3.T	Triage Officer	Manager Triage & Allocation	Regulatory & Advisory Services
3.G	Manager Stewardship and Workforce Capability	Director Regulatory & Advisory Services	Regulatory & Advisory Services
3.O	Senior Advisor Practice & Workforce Capability	Manager Stewardship and Capability	Regulatory & Advisory Services
3.O	Senior Advisor Practice & Workforce Capability	Manager Stewardship and Capability	Regulatory & Advisory Services
4.A	Technical Lead	Manager Employment System Guidance & Engagement	Employment System Guidance & Engagement
4.A	Technical Lead	Manager Employment System Guidance & Engagement	Employment System Guidance & Engagement



## Confirmed disestablished positions

Decision Ref.	Position title	Unit
1.A	Manager Case Management Employment Position (pos#10089690)	Dispute Resolution
1.A	Manager Capability & Early Resolution Position (pos#16205506)	Dispute Resolution
1.A	Dispute Resolution Manager Employment Position (pos#10089720)	Dispute Resolution
1.A	Dispute Resolution Manager Employment Position (pos#10089700)	Dispute Resolution
1.A	Dispute Resolution Manager Employment Position (pos#10089710)	Dispute Resolution
2.B	Regional Manager Counties Manukau Position (pos#10073840)	Compliance & Enforcement
2.B	Regional Manager Central Position (pos#16210107)	Compliance & Enforcement
2.B	Regional Manager Northern Position (pos#16210108)	Compliance & Enforcement
2.B	Regional Manager Southern Position (pos#16210109)	Compliance & Enforcement
2.B	Regional Manager Wellington Position (pos#16210111) – secondment	Compliance & Enforcement
2.A	National Manager Compliance & Regulatory Practice Position (pos#16210101)	Compliance & Enforcement
2.C	Disestablish Manager Determinations & Compliance Position (pos#16210112)	Compliance & Enforcement
2.J	Disestablish Practice Leader Position (pos#16204999)	Compliance & Enforcement
2.J	Disestablish Practice Leader Position (pos#16208763)	Compliance & Enforcement
3.F	Disestablish Business Support Analyst Position (pos#16205455)	Regulatory & Advisory Services
3.F	Disestablish Business Support Analyst Position (pos#16208827)	Regulatory & Advisory Services
3.F	Disestablish Business Support Analyst Position (pos#16205454)	Regulatory & Advisory Services
3.I	Disestablish Senior Legal Researcher Position (pos#16212183) – vacant	Regulatory & Advisory Services
3.H	Disestablish Legal Researcher position (pos#16207311) – fixed term	Regulatory & Advisory Services
3.H	Disestablish Legal Researcher Position (pos#16207312)	Regulatory & Advisory Services
3.B	Disestablish Team Leader ERA Position (pos#16205793)	Regulatory & Advisory Services
3.B	Disestablish Team Leader ERA Position (pos#16208552)	Regulatory & Advisory Services
3.B	Disestablish Team Leader ERA Position (pos#16212187)	Regulatory & Advisory Services
3.P	Disestablish Team Leader Liaison Position (pos#16206593)	Regulatory & Advisory Services
3.Q	Disestablish Team Leader Triage Position (pos#16206592)	Regulatory & Advisory Services

Decision Ref.	Position title	Unit
3.N	Disestablish Practice Leader Triage & Allocation Position (pos#16212190)	Regulatory & Advisory Services
3.X	Disestablish Triage Officer Position (pos#16203617) – secondment	Regulatory & Advisory Services
3.X	Disestablish Triage Officer Position (pos#16217170) – secondment	Regulatory & Advisory Services
3.X	Disestablish Triage Officer Position (pos#16203618) – secondment	Regulatory & Advisory Services
3.S	Disestablish Principal Liaison Advisor Position (pos#16204035)	Regulatory & Advisory Services
3.S	Disestablish Principal Liaison Advisor Position (pos#16205911)	Regulatory & Advisory Services

## Confirmed minor change

Proposal	Unit	Position	Description of change
1.E & D	Dispute Resolution	Mediator Position (pos# 16218321)	Reassigned to permanent position Change in reporting line to Area Manager Dispute Resolution Employment Central
1.E & D	Dispute Resolution	Mediator Position (pos# 16218322)	Reassigned to permanent position Change in reporting line to Area Manager Dispute Resolution Employment Central
1.E & D	Dispute Resolution	Mediator Position (pos# 16218323)	Reassigned to permanent position Change in reporting line to Area Manager Dispute Resolution Employment Central
1.D	Dispute Resolution	Mediator Position (pos#10149730)	Change in reporting line to Area Manager Dispute Resolution Employment Central
1.D	Dispute Resolution	Mediator Position (pos#10005770)	Change in reporting line to Area Manager Dispute Resolution Employment Central
1.D	Dispute Resolution	Mediator Position (pos#10025040)	Change in reporting line to Area Manager Dispute Resolution Employment Central
1.D	Dispute Resolution	Senior Mediator Position (pos#16211740)	Change in reporting line to Area Manager Dispute Resolution Employment Central
1.D	Dispute Resolution	Senior Mediator Position (pos#10180540)	Change in reporting line to Area Manager Dispute Resolution Employment Central
1.D	Dispute Resolution	Early Resolution Facilitator Position (pos#16205508)	Change in reporting line to Area Manager Dispute Resolution Employment Central
1.D	Dispute Resolution	Early Resolution Facilitator Position (pos#16205509)	Change in reporting line to Area Manager Dispute Resolution Employment Central
1.D	Dispute Resolution	Early Resolution Facilitator Position (pos#16205511)	Change in reporting line to Area Manager Dispute Resolution Employment Central

1.D	Dispute Resolution	Early Resolution Facilitator Position (pos#16207542)	Change in reporting line to Area Manager Dispute Resolution Employment Central
1.D	Dispute Resolution	Dispute Resolution Coordinator Position (pos#16212209)	Change in reporting to Area Manager Dispute Resolution Employment Central
1.D	Dispute Resolution	Dispute Resolution Coordinator Position (pos#10005890)	Change in reporting line to Area Manager Dispute Resolution Employment Central
1.D	Dispute Resolution	Dispute Resolution Coordinator Position (pos#16212447)	Change in reporting line to Area Manager Dispute Resolution Employment Central
1.D	Dispute Resolution	Mediator Position (pos#10005680)	Change in reporting line to Area Manager Dispute Resolution Employment Northern
1.D	Dispute Resolution	Mediator Position (pos#10005460)	Change in reporting line to Area Manager Dispute Resolution Employment Northern
1.D	Dispute Resolution	Mediator Position (pos#16205000)	Change in reporting line to Area Manager Dispute Resolution Employment Northern
1.D	Dispute Resolution	Mediator Position (pos#16211704)	Change in reporting line to Area Manager Dispute Resolution Employment Northern
1.D	Dispute Resolution	Mediator Position (pos#16204994)	Change in reporting line to Area Manager Dispute Resolution Employment Northern
1.D	Dispute Resolution	Mediator Position (pos#10005440)	Change in reporting line to Area Manager Dispute Resolution Employment Northern
1.D	Dispute Resolution	Mediator Position (pos#16216877)	Change in reporting line to Area Manager Dispute Resolution Employment Northern
1.D	Dispute Resolution	Mediator Position (pos#10005750)	Change in reporting line to Area Manager Dispute Resolution Employment Northern
1.D	Dispute Resolution	Mediator Position (pos#10005420)	Change in reporting line to Area Manager Dispute Resolution Employment Northern
1.D	Dispute Resolution	Senior Mediator Position (pos#10156240)	Change in reporting line to Area Manager Dispute Resolution Employment Northern
1.D	Dispute Resolution	Senior Dispute Resolution Coordinator Position (Pos#16204674)	Change in reporting line to Area Manager Dispute Resolution Employment Northern
1.D	Dispute Resolution	Dispute Resolution Coordinator Position Pos#10005520	Change in reporting line to Area Manager Dispute Resolution Employment Northern
1.D	Dispute Resolution	Dispute Resolution Coordinator Position (pos#16205219)	Change in reporting to Area Manager Dispute Resolution Employment Northern
1.D	Dispute Resolution	Dispute Resolution Coordinator Position (pos#16209686)	Change in reporting line to Area Manager Dispute Resolution Employment Northern
1.D	Dispute Resolution	Senior Mediator Position (pos#10180600)	Change in reporting to Area Manager Dispute Resolution Employment Eastern
1.D	Dispute Resolution	Mediator Position (pos#10005450)	Change in reporting line to Area Manager Dispute Resolution Employment Eastern
1.D	Dispute Resolution	Mediator Position (pos#10005780)	Change in reporting line to Area Manager Dispute Resolution Employment Eastern
1.D	Dispute Resolution	Mediator Position (pos#10005630)	Change in reporting line to Area Manager Dispute Resolution Employment Eastern
1.D	Dispute Resolution	Mediator Position (pos#16217224)	Change in reporting line to Area Manager Dispute Resolution Employment Eastern

1.D	Dispute Resolution	Mediator Position (pos#10005410)	Change in reporting line to Area Manager Dispute Resolution Employment Eastern
1.D	Dispute Resolution	Senior Early Resolution Officer Position (pos#16205507)	Change in reporting line to Area Manager Dispute Resolution Employment Eastern
1.D	Dispute Resolution	Senior Dispute Resolution Coordinator Position (pos#16204675)	Change in reporting line to Area Manager Dispute Resolution Employment Eastern
1.D	Dispute Resolution	Senior Dispute Resolution Coordinator Position (pos#16218174)	Change in reporting line to Area Manager Dispute Resolution Employment Northern
1.D	Dispute Resolution	Dispute Resolution Coordinator Position (pos#10089880)	Change in reporting line to Area Manager Dispute Resolution Employment Eastern
1.D	Dispute Resolution	Dispute Resolution Coordinator Position (pos#10005540) – fixed term	Change in reporting line to Area Manager Dispute Resolution Employment Eastern
1.D	Dispute Resolution	Dispute Resolution Coordinator Position (pos#10005560)	Change in reporting line to Area Manager Dispute Resolution Employment Eastern
1.D	Dispute Resolution	Dispute Resolution Coordinator Position (pos#10005710)	Change in reporting line to Area Manager Dispute Resolution Employment Eastern
1.D	Dispute Resolution	Mediator Position (pos#10142700)	Change in reporting line to Area Manager Dispute Resolution Employment Southern
1.D	Dispute Resolution	Mediator Position (pos#10005790)	Change in reporting line to Area Manager Dispute Resolution Employment Southern
1.D	Dispute Resolution	Mediator Position (pos#16217120)	Change in reporting line to Area Manager Dispute Resolution Employment Southern
1.D	Dispute Resolution	Senior Dispute Resolution Coordinator Position (pos#16209784)	Change in reporting line to Area Manager Dispute Resolution Employment Southern
1.D	Dispute Resolution	Dispute Resolution Coordinator Position (pos#10005330)	Change in reporting line to Area Manager Dispute Resolution Employment Southern
1.D	Dispute Resolution	Dispute Resolution Coordinator Position (pos#10005900) – fixed term	Change in reporting line to Area Manager Dispute Resolution Employment Southern
1.D	Dispute Resolution	Senior Early Resolution Officer Position (pos#16205912)	Change in reporting line to Area Manager Dispute Resolution Employment Southern
1.D	Dispute Resolution	Early Resolution Facilitator Position (pos#16205510)	Change in reporting line to Area Manager Dispute Resolution Employment Southern
1.D	Dispute Resolution	Early Resolution Facilitator Position (pos#16208542)	Change in reporting line to Area Manager Dispute Resolution Employment Southern

1.D	Dispute Resolution	Early Resolution Facilitator Position (pos#16207543)	Change in reporting line to Area Manager Dispute Resolution Employment Southern
2.E	Compliance & Enforcement	Manager Labour Standards Position (pos#10177350)	Change in reporting line to Head of Compliance & Enforcement Change in Position title to Compliance Manager Standards
2.I	Compliance & Enforcement	Migrant Exploitation Specialist Inspector Position (16203674)	Change of Position title to Lead Inspector Strategic Alignment Minor change in scope
2.H	Compliance & Enforcement	3 x Principal Labour Inspectors positions (pos#s TBC)	Change in reporting line to Manager Specialist Inspection
2.H	Compliance & Enforcement	1 x Labour Inspectors positions (pos#s TBC)	Change in reporting line to Manager Specialist Inspection
2.H	Compliance & Enforcement	1 x Senior Labour Inspector positions (pos#s tbc)	Change in reporting line to Manager Specialist Inspection
2.H	Compliance & Enforcement	Senior Labour Inspector position (RSE) Pos#16210113	Change in reporting line to Manager Specialist Inspection
2.H	Compliance & Enforcement	Senior Labour Inspector position (RSE) Pos#16210115	Change in reporting line to Manager Specialist Inspection
2.H	Compliance & Enforcement	1 x Principal Labour Inspector positions (pos#s TBC)	Change in reporting line to Investigations Manager Northern
2.H	Compliance & Enforcement	8 x Labour Inspector positions (pos#s TBC)	Change in reporting line to Investigations Manager Northern
2.H	Compliance & Enforcement	2 x Senior Labour Inspector positions (pos#s TBC)	Change in reporting line to Investigations Manager Northern
2.H	Compliance & Enforcement	2 x Principal Labour Inspector positions (pos#s TBC)	Change in reporting line to Investigations Manager Central / Southern
2.H	Compliance & Enforcement	6 x Labour Inspector positions (pos#s TBC)	Change in reporting line to Investigations Manager Central / Southern
2.H	Compliance & Enforcement	2 x Senior Labour Inspector positions (pos#s TBC)	Change in reporting line to Investigations Manager Central / Southern
2.H	Compliance & Enforcement	1 x Principal Labour Inspector positions (pos#s TBC)	Change in reporting line to Compliance Manager Southern
2.H	Compliance & Enforcement	2 x Senior Labour Inspector positions (pos#s TBC)	Change in reporting line to Compliance Manager Southern
2.H	Compliance & Enforcement	7 x Labour Inspector positions (pos#s TBC)	Change in reporting line to Compliance Manager Southern

2.H	Compliance & Enforcement	1 x Principal Labour Inspector positions (pos#s TBC)	Change in reporting line to Compliance Manager Central
2.H	Compliance & Enforcement	2 x Senior Labour Inspector position (pos# TBC)	Change in reporting line to Compliance Manager Central
2.H	Compliance & Enforcement	7 x Labour Inspector position (pos# TBC)	Change in reporting line to Compliance Manager Central
2.H	Compliance & Enforcement	2 x Principal Labour Inspector positions (pos#s TBC)	Change in reporting line to Compliance Manager Northern
2.H	Compliance & Enforcement	2 x Senior Labour Inspector positions (pos#s TBC)	Change in reporting line to Compliance Manager Northern
2.H	Compliance & Enforcement	9 x Labour Inspector position (pos# TBC)	Change in reporting line to Compliance Manager Northern
3.F	Regulatory & Advisory Services	Manager Service Advice & Analysis (pos#16206591)	Change of position title to Manager Regulatory Advice & Data Minor change in scope
3.J	Regulatory & Advisory Services	Principal Analyst (pos#16208774)	Change in reporting line to Manager Regulatory Advice & Data
3.J	Regulatory & Advisory Services	Senior Reporting Analyst (pos#10136460)	Change in reporting line to Manager Regulatory Advice & Data
3.J	Regulatory & Advisory Services	Senior Reporting Analyst (pos#16203611)	Change in reporting line to Manager Regulatory Advice & Data
3.J	Regulatory & Advisory Services	Data Analyst Insights (pos#16211559)	Change in reporting line to Manager Regulatory Advice & Data
3.J	Regulatory & Advisory Services	Data Analyst Insights (pos#16210645)	Change in reporting line to Manager Regulatory Advice & Data
3.J & L	Regulatory & Advisory Services	Principal Advisor position (pos#16208535)	Change in position title to Principal Advisor Data & Information Change of reporting line to Manager Regulatory Advice & Data
3.J	Regulatory & Advisory Services	Legal Researcher Position (pos#10023720)	Change of reporting line to Manager Regulatory Advice & Data
3.J	Regulatory & Advisory Services	Legal Researcher Position (pos#10023730)	Change of reporting line to Manager Regulatory Advice & Data
3.M & L	Regulatory & Advisory Services	Principal Advisor Business Advisory Services (pos#16207973)	Change of position title to Principal Advisor Regulatory & Advisory Services
3.K & L	Regulatory & Advisory Services	Principal Advisor (pos#10136450)	Change of position title to Principal Advisor Stewardship Change in reporting line to Manager Stewardship and Workforce Capability
3.K	Regulatory & Advisory Services	Senior Advisor Design & Implementation (pos#16210759)	Change in reporting line to Manager Stewardship & Capability

3.K	Regulatory & Advisory Services	Learning Facilitator position (pos#16207974)	Change in reporting line to Manager Stewardship & Workforce Capability
3.K	Regulatory & Advisory Services	Business Analyst position (pos#10062020)	Change in reporting line to Manager Stewardship & Workforce Capability
3.E	Regulatory & Advisory Services	ERA Administration Officer Position (pos#10006680)	Change of reporting line to ERA Business Support Manager
3.E	Regulatory & Advisory Services	ERA Administration Officer Position (pos#16212188)	Change of reporting line to ERA Business Support Manager
3.E	Regulatory & Advisory Services	ERA Administration Officer Position (pos#16212189)	Change of reporting line to ERA Business Support Manager
3.D	Regulatory & Advisory Services	ERA Senior Authority Officer Position (pos#10006730)	Change of reporting line to Team Leader ERA Southern
3.D	Regulatory & Advisory Services	ERA Authority Officer Position (pos#16211564)	Change of reporting line to Team Leader ERA Southern
3.D	Regulatory & Advisory Services	ERA Senior Authority Officer Position (pos#16218183)	Change of reporting line to Team Leader ERA Southern
3.D	Regulatory & Advisory Services	ERA Senior Authority Officer Position (pos#16218184)	Change of reporting line to Team Leader ERA Southern
3.D	Regulatory & Advisory Services	ERA Senior Authority Officer Position (pos#16218186)	Change of reporting line to Team Leader ERA Southern
3.D	Regulatory & Advisory Services	ERA Senior Authority Officer Position (pos#10006690)	Change of reporting line to Team Leader ERA Southern
3.D	Regulatory & Advisory Services	ERA Authority Officer Position (pos#10006710)	Change of reporting line to Team Leader ERA Southern
3.D	Regulatory & Advisory Services	ERA Authority Officer Position (pos#16208824)	Change of reporting line to Team Leader ERA Southern
3.D	Regulatory & Advisory Services	ERA Authority Officer Position (pos#10006640)	Change of reporting line to Team Leader ERA Northern
3.D	Regulatory & Advisory Services	ERA Authority Officer Position (pos#10006610)	Change of reporting line to Team Leader ERA Northern
3.D	Regulatory & Advisory Services	ERA Authority Officer Position (pos#10006670)	Change of reporting line to Team Leader ERA Northern
3.D	Regulatory & Advisory Services	ERA Authority Officer Position (pos#10025000)	Change of reporting line to Team Leader ERA Northern

3.D	Regulatory & Advisory Services	ERA Authority Officer Position (pos#16208821)	Change of reporting line to Team Leader ERA Northern
3.D	Regulatory & Advisory Services	ERA Authority Officer Position (pos#16208823)	Change of reporting line to Team Leader ERA Northern
3.D	Regulatory & Advisory Services	ERA Authority Officer Position (pos#16208822)	Change of reporting line to Team Leader ERA Northern
3.D	Regulatory & Advisory Services	ERA Senior Authority Officer Position (pos#16218185)	Change of reporting line to Team Leader ERA Northern
3.D	Regulatory & Advisory Services	ERA Senior Authority Officer Position (pos#10006600)	Change of reporting line to Team Leader ERA Northern
3.R	Regulatory & Advisory Services	Manager Triage & Allocation Position (pos#16203670)	Reconfirmation of incumbent in role Minor scope change
3.V	Regulatory & Advisory Services	Triage Officer (pos#16208941)	Change in reporting line to Manager Triage & Allocation
3.V	Regulatory & Advisory Services	Triage Officer (pos#16205020)	Change in reporting line to Manager Triage & Allocation
3.V	Regulatory & Advisory Services	Triage Officer (pos#16203616)	Change in reporting line to Manager Triage & Allocation
3.V	Regulatory & Advisory Services	Triage Officer (pos#16203842)	Change in reporting line to Manager Triage & Allocation
3.V	Regulatory & Advisory Services	Triage Officer (pos#16207547)	Change in reporting line to Manager Triage & Allocation
3.V	Regulatory & Advisory Services	Triage Officer (pos#16203841)	Change in reporting line to Manager Triage & Allocation
3.V	Regulatory & Advisory Services	Triage Officer (pos#16203843)	Change in reporting line to Manager Triage & Allocation
3.V	Regulatory & Advisory Services	Triage Officer (pos#16205019)	Change in reporting line to Manager Triage & Allocation
3.V	Regulatory & Advisory Services	Triage Officer (pos#16205910)	Change in reporting line to Manager Triage & Allocation
3.V	Regulatory & Advisory Services	Triage Officer (pos#16207548)	Change in reporting line to Manager Triage & Allocation
3.V	Regulatory & Advisory Services	Senior Triage Officer (pos#16203671)	Change in reporting line to Manager Triage & Allocation
3.V	Regulatory & Advisory Services	Senior Triage Officer (pos#16205021)	Change in reporting line to Manager Triage & Allocation



## Appendix 1: Confirmed change process

Consistent with MBIE’s employment agreements and recruitment policy, the following information summarises the standard change processes which apply to the changes confirmed as a result of the consultation process.

This includes reconfirmation, reassignment, selection, and redeployment.

### Reconfirmation

Following the consultation process your substantive position may be “reconfirmed”. In these circumstances your substantive position in the confirmed new structure is substantially the same as your current substantive position and you are the only person able to be reconfirmed to the role. Examples include - change in reporting line, title, a minor change in work content.

For reconfirmation to apply:

- The position description you are being reconfirmed into is the same (or substantially the same) as what you currently do, and
- Salary and other terms and conditions for the position are no less favourable, and
- Location of the position is in the same local area (note: this need not necessarily mean the same building and/or the same street).

If your substantive position has been reconfirmed as part of the final structure, you do not need to take any action as you will automatically be reconfirmed into position. Where there are more affected employees who could be considered for reconfirmation than the number of positions available in the new structure (i.e., where we are reducing the number of existing positions), then you may be subject to “**contestable reconfirmation**” via an Expression of Interest (EOI) process. In this situation we will use a contestable selection process to determine who is the best fit for the role. This process would be based on selection criteria from within the position description for the role.

### Reassignment

As part of final decisions you may be confirmed to be “directly reassigned”. In these circumstances we will directly reassign you into a different but substantially similar role.

For direct reassignment to apply:

- The new or revised position description has been assessed as comparable to your current position and any change of duties are not so significant as to be unreasonable taking account of your skills, abilities and potential to be retrained; and
- You have the required skills, knowledge, experience, and abilities to undertake the position, as well as the potential for retraining on any new or unfamiliar aspects of the position; and
- The salary and other terms and conditions for the position are no less favourable; and
- Location of the position is in the same local area (note: this need not necessarily mean the same building and/or the same street).

If you are confirmed to be directly reassigned in the final structure you will not need to take any action as you will automatically be directly offered reassignment into the position.

Where there are more affected employees who are a direct match or currently perform a comparable role than the number of positions available in the new structure (i.e., where we are reducing the number of existing positions), then you will be subject to “**contestable reassignment**” via an Expression of Interest (EOI) process. In this situation we will use a contestable selection process to determine who is the best fit for the role. This process will be based on selection criteria from within the position description for the role.

### New positions

All new positions that are not filled via reconfirmation or direct reassignment, will be advertised internally first to employees affected by the change via an EOI process. Where the specialised nature of a role requires it to be advertised externally in parallel, this has been specified as part of the proposal and decision pack along with the supporting rationale. First consideration will always be given to affected

employees over other applicants subject to them meeting the suitability requirements of the position.

Banding of new positions has been confirmed and will be included as information in the EOI and EOP processes, following this final decision, prior to applications, along with the final position descriptions.

#### **Selection and Expression of Interest (EOI) process for affected employees**

Where team members are confirmed as being significantly affected by any of the confirmed changes the following available options apply:

- Express an interest in available positions within the confirmed structure that you are suitably qualified for by submitting an EOI form, and/or
- Apply for any other existing MBIE vacancies that you are suitably qualified or experienced for. This can be done via the MBIE website.
- Express an interest in voluntarily ending your employment without actively seeking redeployment opportunities within MBIE. MBIE may decline any expression of interest on the grounds that you have skills and experience that need to be retained and a reassignment option is available.

You will be considered an affected employee if you are permanently employed in a position that is:

- To be disestablished;
- To be changed to the extent that it cannot reasonably be considered to be the same position or a substantially similar position; or
- Subject to a significant location change outside of the current local area.

Please note that you will not be considered an affected employee if your substantive position is confirmed as having a change in business group, reporting line, job title or work location (where work location is within the “same local area” or region).

The next section applies to the EOI with contestable reconfirmation processes being run for specified new positions open to the affected employees as set out earlier in this document, for:

- DR Area Manager positions – open to affected DR Managers
- ERA Team Leader Northern and Southern positions – open to ERA Team Leaders

To participate in an EOI process being run you would need to submit an EOI form which would allow you to express interest in the confirmed new positions identified as available to you and for which you are suitably qualified. Using the EOI form you can provide information such as your capabilities, experience and examples, for the relevant selection criteria for the roles you are expressing an interest in. The selection criteria will be outlined in the EOI form, and these are the competences and skills set out in the final position descriptions (available alongside this final decision document). For people leader roles selection criteria also includes the Leadership Success Profile and, where specified, the location of the position.

A CV is not required as part of an EOI submission, however if you wish to provide one this is optional. You may also provide additional supporting information as part of your EOI, whether this be a covering letter, or other additional information such as location preference. However, please note that this would not be mandatory. Once the EOI and/or advertisement period closes, all submissions would be shortlisted against the position criteria (such as the knowledge, skills, experience, and behavioural competencies required).

Where applicable, a panel interview will be used as a contributing selection tool to assess the demonstrated skills, experience and qualifications against the selection criteria as outlined in the position description. Action would be taken to minimise the number of interviews that any affected employee would be asked to attend, i.e. combining panels where appropriate for employees who have an EOI for multiple vacant roles. There may also be instances where an assessment and decision can be made based on the information provided in an applicant’s EOI submission and no additional information or interview would be required.

For some positions, additional selection tools may be appropriate, including:

- Demonstrated skill and experience level against the key accountabilities and deliverables as outlined in the position description.
- Consideration of skills, experience and qualifications against the person specifications as outlined in the position description.
- Consideration of skills and experience against the Leadership Success Profile.
- Presentation and/ or role specific testing.

All applicants will be advised if additional selection tools are required.

### **Selection and Expression of preference (EOP) process for affected employees**

Where team members are confirmed as being significantly affected by any of the confirmed changes the following available options apply:

- Express an interest in available positions within the confirmed structure that you are suitably qualified for by submitting an EOI form, and/or
- Apply for any other existing MBIE vacancies that you are suitably qualified or experienced for. This can be done via the MBIE website.
- Express an interest in voluntarily ending your employment without actively seeking redeployment opportunities within MBIE. MBIE may decline any expression of interest on the grounds that you have skills and experience that need to be retained and a reassignment option is available.

You will be considered an affected employee if you are permanently employed in a position that is:

- To be disestablished;
- To be changed to the extent that it cannot reasonably be considered to be the same position or a substantially similar position; or
- Subject to a significant location change outside of the current local area.

Please note that you will not be considered an affected employee if your substantive position is confirmed as having a change in business group, reporting line, job title or work location (where work location is within the “same local area” or region).

The next section applies to the EOP processes being run for specified new positions open to the affected employees as set out earlier in this document, for:

- LI Compliance, Investigations and Specialist Inspection Manager positions – open to affected LI Regional Manager, Manager Determinations and Compliance, and National Manager positions
- Technical Lead positions – open to Practice Leader LI and Practice Leader Triage and Allocation positions
- Senior Advisor Practice & Workforce Capability positions – open to Practice Leader LI and Practice Leader Triage and Allocation positions
- New Senior Triage Officer position – open to the Practice Leader Triage and Allocation position

To participate in an EOP process being run you would need to submit an EOP form which would allow you to express your preference in the confirmed new positions identified as available to you and for which you are suitably qualified. Using the EOP form you can provide information such as your capabilities, experience and examples, for the relevant selection criteria for the roles you are expressing an interest in. The selection criteria will be outlined in the EOP form, and these are the competences and skills set out in the final position descriptions (available alongside this final decision document). For people leader roles selection criteria also includes the Leadership Success Profile and, where specified, the location of the position.

A CV is not required as part of an EOP submission, however if you wish to provide one this is optional. You may also provide additional supporting information as part of your EOP, whether this be a covering letter, or other additional information such as location preference or order of preference if you indicate multiple positions. However, please note that this would not be mandatory.

Once the EOP period closes, all submissions would be shortlisted against the position criteria (such as the knowledge, skills, experience, and behavioural competencies required in the PD).

Where applicable, a panel interview will be used as a contributing selection tool to assess the demonstrated skills, experience and qualifications against the selection criteria as outlined in the position description. Action would be taken to minimise the number of interviews that any affected employee would be asked to attend, i.e. combining panels where appropriate for employees who have an EOP for multiple vacant roles. There may also be instances where an assessment and decision can be made based on the information provided in an applicant’s EOP submission and no additional information or interview would be required.

For some positions, additional selection tools may be appropriate, including:

- Demonstrated skill and experience level against the key accountabilities and deliverables as outlined in the position description.
- Consideration of skills, experience and qualifications against the person specifications as outlined in the position description.
- Consideration of skills and experience against the Leadership Success Profile.
- Presentation and/ or role specific testing.

All applicants will be advised if additional selection tools are required.

### **Selection and Expression of preference (EOP) process for Labour Inspectorate changes in reporting line**

This section applies to the EOP process being run to implement changes in reporting line for Labour Inspectors, Senior Labour Inspectors and Principal Labour Inspectors to the new teams of:

- Compliance Northern
- Compliance Central
- Compliance Southern
- Investigations Northern
- Investigations Central/Southern
- Specialist Inspection

To participate in an EOP process being run you would need to submit an EOP form which would allow you to express interest in the confirmed positions identified as available to you and for which you are suitably qualified – this means that you are in the same current position description of Labour Inspector, Senior Labour Inspector or Principal Labour Inspector.

Using the EOP form you can say which teams you have a preference to be placed in. You can indicate as many as you like, rank them by preference or provide any other information relevant – for example, your first preference would be X or Y team, but open to any team. There will be space to provide information for the relevant selection criteria for the roles you are expressing an interest in. The selection criteria are:

- Current positions: to achieve the number of positions in each team, and a mix of levels of seniority aligned with the final decisions (FTE and Labour Inspector/Senior/Principal)
- Current office location: to confirm the current location of individual's office can match the Area teams
- Preferences expressed by individuals

A CV is not required as part of an EOP submission, however if you wish to provide one this is optional. You may also provide additional supporting information as part of your EOP, whether this be a covering letter, or other additional information such as location preference. However, please note that this would not be mandatory.

Once the EOP period closes, all submissions would be shortlisted against the position criteria above.

In considering the criteria above, it may be possible to place all our people into one of their preferences of teams. There is also some flexibility on numbers in teams to assist with this. Where needed to support decisions on placement, the panel will contact you to discuss prior to making a decision.

All applicants will be advised if additional selection tools are required.

### **Selection and Recruitment Timeline**

Where possible timeframes will be designed to enable recruiting People Leaders (existing and new where applicable) to lead the shortlisting and selection processes for their teams.

Timelines for each phase of recruitment will be set out in advance and recruiting People Leaders will be expected to treat this as a priority. The purpose of this is to ensure that processes are coordinated where they need to be and completed in a timely way.

### **Redeployment**

If you wish to apply for any other existing MBIE vacancies (i.e. vacancies that are being advertised separately to the change processes), this can be done via the MBIE careers site at any stage of the process.

If you are considered an affected employee, this will need to be indicated as part of your application as first consideration will always be given to affected employees over other applicants subject to them meeting the suitability requirements of the position.

Where applicable, a panel interview will be used as a contributing selection tool to assess the demonstrated skills, experience and qualifications against the key accountabilities and person specifications as outlined in the position description. In

situations where there is more than one affected employee who meets the suitability requirements of the position an assessment will be made of the employee who is best for the role.

#### **Voluntarily ending your employment**

If you wish to express an interest in voluntarily ending your employment without actively seeking redeployment opportunities within MBIE you can select this option as one of your preferences. You can select this option as your only preference or as one of your preferences. Please note, MBIE may decline a request on the grounds you have skills and experience that need to be retained and a reassignment option is available. Should this be the situation this will be discussed with you.

#### **Review process**

If you disagree with the application of this process, including for example your reconfirmation or direct reassignment into a position as part of the final structure, you have the right of review. This process is set out in your employment agreement. You are encouraged to raise any concerns with your People Leader at the earliest opportunity so these can be worked through with you on a case-by-case basis.

#### **Secondments and acting arrangements**

If you are currently on secondment or acting in a different position, there may be decisions confirmed for that position as well as your permanent substantive position.

However, you will only be considered an affected employee if your permanent substantive position is significantly impacted.

People will continue in their temporary position until the end of the term currently in place unless otherwise advised.

#### **Process for casual and fixed term employees**

Casual and fixed term employees, by the nature of their employment agreements, will not have access to the change processes set out above.

Upon completion of the change management process for affected permanent employees, any remaining vacant positions in the new structure would be openly advertised through standard recruitment and selection processes and any casual or fixed term employees would then be able to apply.

## Appendix 2: Support through change

Work is a big part of your life. During organisational change, it's normal to have feelings of uncertainty, shock, anger, frustration, confusion, scepticism, and impatience. Please ask for support when you need it and remember to be understanding towards your colleagues who may be feeling anxious or distracted. You can talk to your People Leader, colleagues and/or union representative or the People and Culture team.

### Wellbeing support options

We recognise that change may be difficult and encourage you to reach out to your support network and draw on the resources available to you. You can:

- Talk to your People Leader
- Contact your union delegate or representative ([PSA](#)) / ([NUPE](#))
- Reach out to the [Wellbeing, Health and Safety Team](#)
- Use our [Employee Assistance Programme](#), which provides support for both work and personal life
- Call or text [1737](#) to access free counselling services from the national telehealth service
- Access your [Te Puna Ora](#) dashboard both at work and remotely using your MBIE login details

### Learning support options

Focusing on your personal growth and development is a helpful way to direct your attention during times of change and uncertainty – to reinforce your skills and explore career interests.

There are plenty of resources and directories to explore within MBIE, including:

- [Learn@MBIE](#) – our central learning platform that holds many free e-learning courses, including a series of e-learning modules focused on [change](#), suitable for all staff.
- [Percipio](#) – the world's largest online learning library. To access Percipio, select 'team/enterprise subscription' and then enter 'MBIE' in the site name field.

- [MBIE's library](#) – a large catalogue of books and scholarly works focused on subject expertise as well as broader skillsets like leadership capability.
- You can also reach out to People & Culture to discuss your development interests.

### Career development support

MBIE's ([Career Services](#) | [EAP Services Limited](#)) can assist with general career advice and is available for self-referral. This also includes budgeting and financial advice, personal development and coaching and personal legal advice.

### Accessing outplacement support

Independent outplacement and career transition support is available for affected employees. Outplacement programmes are designed to help you feel supported during times of career change, enhance your self-confidence and self-awareness, achieve clarity about your next steps, and improve your ability to quickly gain new employment. Outplacement programmes are run through an external provider, with support focused towards:

- Self-assessment of skills, values, and career preferences
- CV writing and cover letters
- Job search strategy
- Creating an online profile - LinkedIn, SEEK, TradeMe
- Effective networking
- Interview preparation
- Negotiating a job offer

If you are interested in utilising these services, please contact Becs Lilliebridge in our People & Culture team via [rebecca.lilliebridge@mbie.govt.nz](mailto:rebecca.lilliebridge@mbie.govt.nz). You will need to provide your name, email address, preferred contact number and your location so that MBIE's provider can reach out to connect with you.