



## **Submission**

**by**

**E tū**

**to**

**Productivity Commission Inquiry into New Zealand's  
Immigration Policy**

December 2021

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## Overview

E tū, the largest private-sector union in New Zealand, makes this submission on behalf of its 50,000 members. Our members work in industries including:

- Aviation
- Communications
- Community Support Services
- Engineering, Infrastructure and Extraction
- Manufacturing and Food
- Public & Commercial Services

Our members cover the breadth of New Zealand, with the majority living in Auckland. Many of our industries are reliant on migrant workers, especially our construction and our healthcare sectors.

It is vital that migrant workers are protected and supported when they are in New Zealand. Whilst most of our migrant members do not have any issues with their employers, we have worked with some members who have been harassed and bullied. Any migrant coming to New Zealand should feel safe and we need to have an immigration policy that delivers on that requirement.

## Inquiry Questions

1. To what extent does access to migrant labour reduce training and upskilling activity by employers? Do effects on training and development differ by industry? Are there areas of the economy in which New Zealand should be training people that are currently disproportionately supplied by migrant workers? How could policy best respond?

Immigration policies must protect both the migrant workers and the New Zealand workforce. Many of our skilled migrants help train and upskill New Zealand workers by sharing their expertise and their knowledge. However, some industries do not offer much training and utilise the short-term or long-term skill shortages lists to bring in migrant workers to fill the gaps. The increase in apprenticeships being offered by the current government has enabled some industries to increase the number of skilled New Zealand workers. However, the lack of mentors/assessors is still causing issues and the policy should look to a training/mentoring requirement when skilled migrant workers are brought into New Zealand where these shortages exist.

Telecommunications has always been an area where training of New Zealand workers has been a challenge. By requiring a training component when experienced migrants come into the country, this would assist with local workers being able to undertake the job. Employers need to be encouraged to invest in the local workforce and this can be achieved by ensuring sufficient training is undertaken to increase the proportion of New Zealand workers to migrant workers.

2. What objectives should be included in an immigration Government Policy Statement? Why?

E tū agrees with the regular development of a Government Policy Statement and believes that this statement development must include the voice of the worker. Our proposal is that the initial development and the regular review of the Government Policy Statement be undertaken with Government, Business, Unions, and Iwi representation and then put out for public submission before implementation of the GPS.

The GPS would determine the objectives to be covered and needs to include a guaranteed process to access the pathway to residency that is fair for all migrants. The largest area of concern for E tū around the proposed immigration policy is the linking of the pathway to residency to the median income. We believe that this is a very blunt tool and one that has a very gendered response. Workers in female-dominated industries earn less than those in male-dominated areas.

By setting a policy based on the median wage, it discriminates against workers within those female-dominated areas (for instance, aged care where there is a high migrant workforce, mainly women). Add to this factor, that the wages within the aged care sector are set by the Government and even the L4 trained workers rate is below the median wage, the policy is stopping aged care workers from gaining residency. These workers will actually have to return to their place of origin after 3 years and have to wait a whole year before being able to come back to New Zealand.

In contrast, skilled construction workers (male-dominated) typically earn the median wage or higher so will have access to the pathway to residency, and will not have to return to their place of origin whilst they are working towards their residency.

Any immigration GPS must address this gendered discrimination and ensure everyone gets access to residency if they are skilled workers.

3. How could the Treaty of Waitangi interest in immigration policy be best reflected in new policies and institutions?

As stated above, Iwi needs to be represented, along with unions and business, in the development of the Government Policy Statement on Immigration. Te Tiriti o Waitangi is a partnership document and this needs to be reflected in all Government legislation, especially immigration. To consult is not enough. Māori needs to be at the policy development stage and at the decision-making stage around the GPS and around any changes being made to immigration policy if we are to truly reflect the status of Te Tiriti o Waitangi.

4. Should the annual number of residence visas on offer be reduced? If so, to what level and why? And if not, why not?

E tū does not believe the number of residence visas issued are the problem. Migrants add to our diversity and skill levels, and bring a more global perspective to the world of work and to our communities. The problem is the infrastructure to support them. The long waiting times for processing of applications is not the fault of the migrant. We need to have the resources to allow for applications to be processed in a timely fashion. We also need to ensure that the GPS and Immigration Policy do not contain unconscious bias around gender or ethnicity. As stated above, the setting of the median wage to allow access to residency discriminates against women. In the past, European migrants have had an easier access to residency than non-European applicants. Both of these areas of concern need to be addressed if the decision is made to limit/reduce the number of residence visas.

5. Should the right to return for permanent residents who re-migrate out of New Zealand be limited? Under what conditions? What would be the costs and benefits?

E tū thinks that the current system works and does not see the need for it to be changed.

6. Should efforts by migrants to learn te reo be recognised in the residence or permanent residence approval process? If so, how would this best be done?

Everybody in New Zealand should be encouraged to learn te reo Māori as it is one of the official languages of New Zealand, and this should include migrants. Our concern with the recognition of migrants who have made the effort to learn Te Reo in the pathway to residency requirements is that it discriminates against those who have not. There could be a myriad of reasons why this has not occurred, for instance, timing of courses for those who undertake shift work, and cost of training when there is a requirement of many of our migrants to send money back to their place of origin to assist their families at home, and we should not penalise these migrants because of these reasons.

7. Do particular groups of migrants need additional or targeted support to settle? If they do, what types of support would work best?

Making migrants welcome when they come to New Zealand is vital to their well-being and to help them become a part of our communities. There are very good programmes used when refugees come into New Zealand to help them resettle in their new country. We should be as welcoming for new migrants so they also have that same feeling of connectedness. Our immigration policy also needs to focus on pastoral care to ensure that migrants are not being exploited on their arrival. After the earthquakes in Christchurch in 2011, there was an influx of migrants to assist with the rebuild. Unfortunately, there was also a number of migrants who were taken advantage of. There was evidence of migrants hot-bedding with 20-30 people living in 5-bedroom homes, and excessive rents being deducted from migrants wages for shared accommodation. Unless the migrant said something, this exploitation went unobserved or addressed. Immigration policy must protect future migrants so this cannot occur again.

There must be sufficient resourcing so the migrant worker not only feels welcome, but feels safe to complain when the living situation is dubious, and to contact a union to ensure that their terms and conditions are correct and their employer is not exploiting them. Migrant workers must also have the ability to easily change employers so that bad employers are not rewarded by having a trapped workforce compelled to accede to any requirements, lawful or otherwise.