

Allan Fong – The Fresh Grower

Business and family background

We are a vegetable growing business in Pukekohe, South Auckland. We have been in business for approximately 60 years. I am 2nd/3rd generation Kiwi/Chinese. My grandparents and parents emigrated to New Zealand from China and were unable to speak or write English. Like many migrant families, my parents worked hard to etch out a living, raise five children and maintain a livelihood without social welfare, benefits or government assistance.

Type of work and workers

The nature of our operation means that most of our roles involve manual and hands on tasks. Our planting, harvesting, packing and washing are predominately done by hand in some shape or form. We therefore require a suitable type of person who can perform this manual labour. There are a variety of roles in our operation in the field and in the packhouse and we have found that different people are best suited to different roles purely due to the nature of the work being done. A lot of people do not like the repetitive tasks and lifting in the field in extreme conditions of hot summer days to cold and wet winter days. From experience we have found that people from a pacific background are well suited to our outside work and enjoy working as a team. In contrast we have found that Working Holiday Visa's/Backpackers are well suited to the repetitive tasks in the packhouse. These Working Holiday Visa holders tend to come in organised groups and work for periods of 6 – 12 months before moving on to Kiwifruit, Apples or Cherries. The repetitive and manual nature of our jobs does not attract or appeal to local labour despite our best effort with advertising and we struggle to find and retain an adequate number of local to fill our vacancies in both the outside teams and packhouse. We just want competent and reliable workers. Our current workforce is made up of approximately 60% Kiwi's/Permanent Residents and 40% temporary visa holders.

Local Labour Issues

Some of the challenges we have with hiring locals is the high level of drug use and criminal convictions. These individuals with substance abuse issues, pose a health and safety risk to our workers, contractors and visitors, a risk we are not willing to take. We have also found in the past that individuals with criminal convictions have negatively affected the security of company property (tractors stolen and stripped) and worker's personal belongs. Work ethic and a strong aspiration and drive to do better in life are some of the many positive attributes of immigrants. Unfortunately, these attributes may not be as strong in some of the local labour individuals. In my opinion, there is a correlation between the level of social welfare individuals receive and the drive and degree of work ethic that they have. Social welfare has its place however, there is a proportion of the population who take advantage of this assistance. There is a fine line between providing assistance and providing a disincentive to work.

Lower Skills vs. High Skilled Migrants

My understanding is that it is the governments intention to limit migrants and immigrants to higher skilled individuals at the expense of lower skilled individuals. I disagree with this direction as I have seen many cases of immigrants who would not qualify as high skilled individuals yet have successfully settled in New Zealand, carving out livelihoods, raising and educating children who have gone on to be successful, responsible and productive members of New Zealand's society. Lower skilled migrants and immigrants are just as important as higher skilled ones as we need a broad range of workers and skill levels to make this country productive. Lower ANZCO scores should not be used as an indication of how successful and how much value an individual can contribute to a business and New Zealand society as a whole, rather match the person's suitability to the job.

All Immigrants

We are all immigrants who have come to New Zealand and help build this wonderful country, this is just differentiated by the generation of which our families immigrated. I would like to see a wide diversity of people given the opportunity to come and live and working New Zealand as this can only enrich and strengthen our society. Without this immigration of individuals and their knowledge, experience and innovation, New Zealand as a nation and its economic growth will become stagnant and to insular in its thinking. Migrants coming to New Zealand bringing their knowledge and experience and seeking to better themselves is no different from Kiwis' going on the traditional OE or working holiday to broaden their horizons, better themselves but this reverse view is often not considered.

Impact on Business of Migrant Restrictions

We are a business that supports approximately 100 families. We succeed or fail on how we manage, produce and sell our products. Over the last 18 months, finding and retaining adequate numbers of suitable staff has been a challenge. Because of this there have been crops that have not been planted and some we have struggled to harvest, leading to wastage. We as a business pride ourselves on bringing affordable and nutritious vegetables to our Kiwi customers. The labour challenges and shortages in combinations with the increasing regulations and bureaucracy being placed on businesses such as environment targets set by local, regional and central government, rising cost of raw materials, rising labour and compliance costs are all starting to intrude and negatively impact on how we as a business operate and plan with our business strategies for the future. These regulations hinder us, stifling growth when government should be seeking to encourage, support and inspire businesses to contribute to the country's economic growth. The number of small to medium vegetable growing operations has been reducing with businesses closing or selling as they cannot keep up with all the regulations and compliance requirements. With the small to medium operations disappearing, eventually there will be only large or corporate type business who are able to survive and be economically viable. This is at such a detriment to innovation, diversity and competition. Please do not impose more regulations and restrictions on us that hampers our ability to flourish. Give us the tools and incentives and let us and all like minded people build this country to a bigger and brighter future.

Moving Forward

I am 65 years old this year and have a younger generation of family coming through the business who are working hard, upwards of 80 – 100 hours a week at times. Please set the foundations to inspire them, not hinder them by placing further restrictions on labour, a vital resource to our business. Support our future generation in their drive to achieve their goals and visions rather than placing brick walls of restrictions and regulations that will just dampen their enthusiasm to achieve and grow our company, contribute to the economy and support our society through growing and supplying nutritious food for our people.

The Treaty of Waitangi and Te Ao Māori

1. In what ways should the Crown honour the Treaty of Waitangi in developing and applying immigration policy? What changes are needed to policy or implementation?

- I like most New Zealanders are not aware of the specifics of Crown obligations to honour the Treaty, and therefore can not comment on how this may influence immigration policy.

9. Which concepts within Te Ao Māori, or Māori perspectives or values, are most applicable to immigration policy and why? What would or should including these concepts, perspectives or values mean for immigration policy?

- People from a multitude of backgrounds and cultures have the same value (to a lesser or greater extent). However, their values and ideas are not promoted or championed by the majority.
- In reverse, concepts of Te Ao Maori are not communicated and therefore embraced by immigrants. There are vast differences in cultures and upbrings and the scale of values is not the same.
- In my experience, concerns about perceived competition for jobs between different nationalities is unfounded.

Immigration, Productivity and Wellbeing

2. Is the Commission's proposed framework a useful way of thinking about the immigration system for this inquiry? What changes would you make?

- No Comment

3. What should the overall objectives for the immigration system be?

- To encourage people from a wide spectrum of countries, with a broad range of skills (unskilled to highly skilled) to live and work in New Zealand.
- To be able to fill vacancies not taken by kiwis due to skill set/work ethic.

4. How should the Commission consider trade-offs between the different factors that contribute to wellbeing? Should there be some bottom-lines that cannot be traded off at all?

- No Comment

5. Through which channels has immigration contributed to New Zealand's productivity growth? What evidence is there of this impact?

- All the channels outlined in the report
 - Capital deepening
 - International linkages
 - Innovation and diffusion
 - Critical skills
 - Specialisation

6. Are there other channels for immigration to impact productivity growth that the Commission should consider?

- Should consider that lower skilled jobs eg. manual labour, are the engine for some businesses and should be valued just as much as highly skilled labour.

7. Are there barriers to migrants fully contributing to New Zealand's productivity growth?

- Yes
 - The competency /skills tests and the results placing restriction of the working rights of individuals. Over 90% of local staff would fail these tests.
 - Not being able to work in the field they are qualified to.
 - Uncertainty over their futures due immigration policies and restrictions

8. Which factors matter most for assessing the impact of immigration on wellbeing? How can they best be measured?

- Racism/discrimination by public irrespective of background and race
- Perception of migrants/immigrants taking jobs

Immigration Policy Design

13. Would there be benefit in requiring the Government to publicly announce its policy objectives for the immigration system? How often should the Government be required to make such a statement?

- Yes
 - Government is held to account in meeting these objectives
 - Must use correct effective communication channels
- Required to make a statement every 3 years
 - World and business environment is fast changing

12. How should New Zealand's special relationship with Pacific Island nations be reflected in immigration policy?

- Must be maintained
 - Pacific Islands are a key source of labour for the manual workforce.
 - This special relationship is mutually beneficial to New Zealand and the Pacific Islands

Migrants and Settlement

10. What does the “successful settlement” of migrants mean to you, and what are the barriers to achieving it?

- Successful settlement means
 - Have a job
 - Good work ethic and attitude
 - Embracing New Zealand and contribute to its culture
 - Ability to have immediate family with them
 - Suitable housing, transportation means
 - Stability and certain in terms of knowing rights to stay in New Zealand
 - Contribution to New Zealand’s economy

- Barriers to achieving successful settlement
 - Language (lack of English communication – verbal/written)
 - Racism/Discrimination
 - Lack of certainty with regards to rights to stay in New Zealand or work in certain jobs
 - Overseas qualifications not recognised/valued in New Zealand
 - Employers not meeting minimum employment requirements
 - The governments high income threshold requirements when employing immigrants, limits their opportunities to settle as it is such a large financial burden for employers and may act as a deterrent to employ them long term or at all.

11. Do you think prospective migrants are given enough information to make long-term decisions and settle successfully? What other information could help, and how could their access to this information be improved?

- Lower Socio-Economic Migrants
 - May have limited access to internet, social media as a source of information
 - Unless given information are likely to have limited ways to obtain information and answers to questions they may have.
 - Likely to seek information from other migrants or persons they may know who may have knowledge on New Zealand. This information may not be accurate.

- Higher Socio-Economic Migrants
 - More resources available to use to seek information allowing them to make more informed long-term decisions.

Obligations on Employers

14. Currently, most employers have an obligation to prioritise the New Zealand labour force before recruiting temporary migrants. Do you agree with this obligation? Why or why not?

- *No, I do not agree employers should have to prioritise the New Zealand workforce over temporary migrants*
 - New Zealand businesses operate in a free market and take all the risk, they should not be prevented from employing what they consider to be the most suitable workers.
 - New Zealand business operators are the best judge of who is the most suitable worker for their operation/role. This should be irrespective of whether the worker is Kiwi or migrant.
- Businesses sacrifice a lot of time, money and productivity in having to train Kiwi's who are not best suited to the roles, who last less than a week, and disappear without giving notice, often taking hundreds of dollars of employer provided personal protective gear with them. Alternatively, some Kiwi's turn up to interviews to meet the requirement of staying on their benefit but never turn up to start when offered the job.
- Monotonous roles with repetitive tasks are best suited to a temporary labour force.
 - Temporary workers (migrants) stay for the short term before moving on to a similar but different tasked role.
 - Few people last long term in such roles.

15. If not, are there alternative obligations employers should have if they wish to recruit temporary migrant workers?

- Fulfil all the labour laws and ensure minimum employment rights are met, irrespective of whether worker is migrant or kiwi.

16. What evidence, if any, should employers have to provide to prove they have made sufficient efforts to recruit New Zealanders?

- Employers should not have to provide evidence that they have made efforts to recruit Kiwis if they believe that migrants are best suited to their workforce in the first place.
- In my experience we have had multiple job adverts in the market with little to no response to the vacancies.
 - You cannot make people take jobs they just aren't interested in regardless of the pay.
- We need the freedom to recruit the best candidate for the job regardless of whether they are locals or visa holders.

Skills Shortages

17. Previously, ANZSCO has been used to define “high” and “low”-skilled jobs. Should immigration policy differentiate between “high” and “low”-skilled jobs? Is there a better way of defining skill levels?

- *No - Immigration policy should not differentiate between high and lower skilled jobs/migrants*
 - Current immigration policy and ANZCO is skewed against low skilled people who are required just as much as higher skilled
 - Lower skilled staff also have the potential and aspirations to work their way up from a lower skilled role to a supervisor or management position, proving themselves to employers. Examples include harvesters moving on to supervisor roles, packers moving into supervisory quality assurance roles, supermarket stackers becoming supermarket owners or farm assistants becoming farm managers.

18. What is the best way to identify workforce or skills shortages?

- When industry voices concern about labour shortages, they are at the forefront and know best
- Industries should not feel forced to cry out via the media because they feel they are not heard or taken seriously by central government

19. Prior to the pandemic, was the current system working effectively to address skills shortages while prioritising the employment of New Zealanders and ensuring the wages and conditions of New Zealand workers were not undermined? What evidence can you provide?

- Yes – There was a bit of competition for staff but the system was effective until the government started clamping down on immigration
- Currently there is a huge reduction in the pool of working holiday visa, backpackers, RSE staff as a large proportion have returned home. If they were taking jobs away from Kiwi's, then we would now see an influx of kiwis filling these roles. This is not the case as we can not fill these vacancies even when paying the living wage plus.

Investors and Entrepreneurs

20. How successful have the Investor or Entrepreneur category visas been to date in generating value for New Zealand? How could this value be increased?

- Investors make a good contribution to New Zealand but they come spend the required amount to gain residency and depart New Zealand and come back for few months.
- In contrast the ability of the smaller lower skilled person to gain residency is just as important. They contribute to New Zealand economy and society but take more risk in coming here and have a harder pathway to residency.
- Immigration policy is skewed towards those with money and is not fair to the unskilled workers who deserve a chance at residency as well.

21. How should immigration policy acknowledge the fact that investment and entrepreneurship are inherently risky and that some efforts will not succeed?

- Immigration must be aware that a high percentage of immigration enterprises fail

22. What criteria (if any) do you think should apply to investor visas in terms of: level of investment, type of investment, duration of investment and obligations to New Zealand?

- No Comment

23. What criteria (if any) should apply to migrants wanting to establish or buy a business in New Zealand? How often should the business be reviewed against these criteria?

- There are enough criteria under current business requirements
- Immigrants are risking a lot and have a lot to lose in coming to New Zealand, it is not in anyone's interest to make this harder.

Students

24. Are the current criteria for obtaining post-study work rights satisfactory? What criteria should be added or removed (and on what basis)?

- No – Overseas students sacrifice a lot to be here and in doing so contribute to New Zealand
- Being restricted to only being able to work 20 hours a week is ridiculous when you consider what it is costing them to stay here and study (fees, accommodation, food, transportation) often for periods between 2-5 years.
- This restriction of only being able to work 20 hours a week is also hard on employers as often the work may take more than 20 hours in order to be completed (ie. Hospitality workers cannot just work off the job mid shift because 20 hours has been reached).
- A lot of students are required to work as part of their learning, in doing so they are contribution to New Zealand in some way or form and should not be penalised because of this.
- Surely if a person wants to work more, let them have the freedom to do so, if they are available to.

25. To what extent should international students have rights to work in New Zealand?

- There should be less restrictions

26. Should visa applicants who have gained a New Zealand qualification receive a special preference for residence?

- Yes – More consideration

27. Should there be any restrictions on the kinds of sectors or occupations students can work in during or after study? Why, or why not?

- There should be no work restrictions during or after study
- Some students post study have the qualifications but not the industry experience for work so they don't need further restrictions making it harder for them to gain this experience and put their qualification to best use.

28. Should the level or nature of qualifications that students are studying affect work rights during or after study? Why, or why not?

- No – we have a free market; it will dictate through market forces what qualifications attract students

Working Holidays

29. What should the objectives of working holidays schemes be (eg, fill temporary labour shortages, enhance international connections, encourage reciprocal overseas work opportunities for New Zealanders, attract longer-term migrants)? How well are the current schemes delivering on these objectives?

- All of the above
- The current working holiday schemes were delivering well on these objectives

30. Do you think the number and set of countries New Zealand has agreed working holiday schemes with is set at the right level?

- There is room to expand this and open up opportunities to more countries
- Why are some countries given longer periods than others? This adds another layer of complex restrictions.

Partners, Parents and Families of Migrants

31. What are the barriers that partners of migrants face in finding work?

- Immigration rules do not let partners work in the field they are qualified.
 - As seen in the report only 45% are employed in an area that matches their skills

32. Should the immigration system give more weight to the skills and employability of partners? Are there other factors that should be given more weight?

- Yes - Ability of partners in themselves should outweigh their status as a visa holder partner.

33. Do immigration settings for family visas (eg, parents, dependent children) have a material impact on a migrant's decisions to come to and stay in New Zealand?

- Yes - Wellbeing

Other ways for New Zealand to source skills and talent

34. What more can immigration policy do to attract specialist “high-impact” people? What other complementary policy changes might be needed?

- Older people have experience and skills needed
- In industries with skill shortages age should not be a barrier or of such weighing
 - Extend age limits up to 60 years old
 - Shorten the processing time of these visa's

35. What effect has access to migrant labour had on training, job conditions and technology adoption by firms? What other factors explain firm practices? How can the Government support firms to change their practices?

- In our instance use of migrant labour
 - Has not affected the training of kiwis as the roles we have are predominantly low skilled with minimal training requirements.
 - Has not affected our adoption of technology as our work predominantly consists on manual hands on task that are difficult or unable to be fully automated in a cost efficient manner at this time.
- Accessibility to technology and the support and servicing of this technology for our purposes of planting, harvesting, processing and quality control are very limited.
- The government can support firms to change their practices by
 - Offering financial incentives to invest in technology (grants, subsidises, depreciation)
 - If businesses can't make a profit we can't invest in these technologies

36. How responsive to skills gaps is the education and training system? Are there policy changes that could improve its responsiveness?

- Poor
- Responsiveness could be improved by having ministry representatives that are more accessible and be able to communicate with and be able to voice concerns to.

37. How can New Zealand best leverage the diaspora to enhance productivity growth?

- Balanced equal focus on lower skilled and higher skilled migrants/immigrants as we need a mixture of all skill levels to address our labour shortages.

Population Growth and Migration Volumes

38. Which costs and benefits of population growth are most important? Why?

- Population growth via migration can create more innovation and therefore job opportunities as well as bring down the cost of living due to economies of scale.
- Population growth is essential to replace our aging and stagnating workforce.
- Younger people as well as migrants bring enthusiasm and vibrancy that older existing workforce may lack as they have become complacent

39. What policy changes could help increase the benefits and reduce the costs of population growth?

Short Term

- Initially there is no reduction in costs of population growth as it puts pressure on all aspects of the economy

Long Term

- Benefits of population growth outweigh the costs
- The government must spend money to resolve issues such as infrastructure, schooling housing in an effort to attract people and encourage them to want to stay. We don't want a repeat of the brain drain.

40. Could or should the Government use immigration policy (eg, visa conditions to settle in specific places) to ease pressures in some regions? If so, what would be the best way?

- No – But there should be incentives to encourage migrants/immigrants to investigate the regions
- If there is a requirement to move to a set region, people will stay for the required period and move to the city once this time has lapsed.
- The focus should be about matching the best person for the job without adding layers of rules such as regionality requirements.

41. Should the Government regulate the numbers of people given permanent residence? How and why?

- No – This should be based on the merits of the individuals. If they contribute positively to the economy and society let them stay.

42. Should the Government regulate the total number of people with temporary work rights? How and why?

- No – We operate in a democratic free market society and like all free markets, the market should decide not government regulation

43. If the Government does regulate volumes of permanent residents or temporary migrants, what should it be trying to achieve (eg, stabilising population, managing pressures on housing and infrastructure demand)? How feasibly can the Government achieve these goals through immigration policy?

- The nation will be done a disservice shutting out many people with potential to contribute to our economy and society who will simply go elsewhere.
- I do not think we can or should attempt to regulate those issues predominately through immigration policy.
- Immigration should not be a tool to use to regulate these issues.