



MAT – ECARU

(Migrant Action Trust – Ethnic Communities Advocacy and Research Unit)

Aotearoa New Zealand Government and the Sanctioned Exploitation of Migrant Construction Workers

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Executive Summary

This report examines the experiences of migrant construction workers in Aotearoa New Zealand. It discusses how regulatory gaps, precarious employment arrangements, and systemic enforcement failures have compounded to create and perpetuate an ongoing labour exploitation crisis. Drawing on 27 in-depth interviews, this study integrates perspectives from migrant construction workers, community advocates, union officials, and representatives from labour hire companies. The advocacy strategies and existing factors that support the well-being and resilience of migrant workers are highlighted. In addition to the structural drivers of abuse, the report shows how the Aotearoa New Zealand government benefits from the exploitation of migrant construction workers and its complicity in knowingly maintaining a system that disadvantages the workers. Finally, this report concludes with policy recommendations aimed at strengthening protections for migrant construction workers and fostering their genuine inclusion in Aotearoa New Zealand society.

Purpose and Scope

This research aims to:

- Document the lived experiences of migrant construction workers holding Accredited Employer Work Visas (AEWV).
- Analyse the role that employers, unions, and community organisations play in shaping working conditions.
- Identify conditions that negate fair treatment and legal recourse.
- Propose evidence-based policy reforms that would enhance worker protections and ensure industry accountability.

By engaging four key stakeholder groups - migrant construction workers, community advocates, union officials and labour hire employers - the report offers an in-depth analysis of exploitative and protective elements present within and around Aotearoa New Zealand's construction sector.

Methodology

A qualitative, thematic approach was employed to capture nuanced insights on the labour hire situation of migrant construction workers in Aotearoa New Zealand. The key elements of the study were:

- **Study Participants:** The study involved a total of 27 participants including 19 migrant construction workers, 2 union officials, 3 community workers, and 3 representatives from labour hire companies.
- **Data Collection:** Qualitative data was collected from six focus groups and six individual interviews between October 2024 and January 2025.
- **Analysis:** Transcripts were open-coded, axial-coded, and selectively coded using NVivo and manual thematic techniques.
- **Ethics:** Ethics approval was obtained from an institutional ethics committee. Written consent was obtained from all the participants.
- **Confidentiality:** The use of pseudonyms protected participant confidentiality.

These factors ensured methodological rigour while drawing on participants' voices.

Key Findings

1. Regulatory Loopholes

- Labour-hire companies exploit subcontracting arrangements to evade legal and financial responsibility.
- Accreditation processes rely on employer-provided documentation with minimal third-party verification.
- Phoenixing tactics – moves made by businesses to avoid paying their dues - allow exploitative firms to liquidate and re-open under new names, thereby bypassing accountability.

2. Adverse Working Conditions

- Migrant workers face reduced wages, inconsistent hours, and limited job security.

- Language barriers and cultural differences impede access to health and safety training.
- Contract substitutions and underemployment exacerbate financial and emotional distress.

3. Systemic Debt Entrapment

- Pre-migration recruitment fees ranging from NZD10,000–20,000 force workers into debt.
- On-arrival deductions for rent, transport, and pastoral care deepen economic vulnerability.
- Obligatory remittances and family expectations intensify psychological stress.

4. Institutional Abandonment

- Selective complaint-driven enforcement fails to protect migrants who are unlikely to report abuse for fear of visa cancellation and employment retaliation.
- Government agencies frequently redirect workers back to exploitative employers or fail to investigate fully.
- NGOs and community groups fill critical support gaps but remain unrecognised, unsupported, and under-resourced.

5. Government Complicity

- The state benefits economically from systemic labour-cost suppression sustained by migrant worker exploitation.
- There is limited or no verification of whether Accredited Employer Work Visa (AEWV) conditions are being met by employers.
- Migrant Exploitation Protection Work Visa (MEPV)'s promise of protection is undermined by high evidentiary thresholds and unclear procedures.
- Bureaucratic structures impose legal dependency upon migrant workers.

6. The earnings of migrant construction workers support Aotearoa New Zealand's economy

- Mandatory purchases of work equipment, insurance, cars, food, accommodation
- Taxes paid by the workers contribute to the state's coffers
- Bank savings and high interest loans benefit financial institutions

Perspectives Across Stakeholder Groups

Community workers at Migrant Support Services¹ and Community Migrant Support described appalling cases of premeditated recruitment fraud carried out by the labour hire companies and recruitment agencies, and emotional burnout amongst volunteer community workers.

Union officials from First Union and United Network of Migrants – First Union reported widespread contract substitution, hidden debt entrapment, corrupt pastoral care managers, and the ineffectiveness of current orientation programmes.

Employer representatives revealed how small migrant-led firms struggled under rigid visa and accreditation requirements, median-wage thresholds, guaranteed hours, and onerous compliance burdens.

Migrant construction workers shared their challenging experiences of high recruitment and visa fees, undisclosed costs, waiting weeks for sporadic shifts, dismissals via social media, and legal limbo following labour hire company liquidations.

Analysis of factors institutionalising exploitation

The report identified a nexus of factors institutionalising exploitation:

- Visa-Tied Dependency: Single-employer visas prevent job mobility, thereby silencing employee complaints.
- Lack of Transnational Recruitment Oversight: Offshore agents operate for profitability without any accountability.
- Regulatory Fragmentation: Split responsibilities across Immigration New Zealand, Ministry of Business, Innovation and Employment (MBIE), and

¹ Pseudonyms are used throughout the report to protect the confidentiality of all persons and organizations that participated in the study, except in the case of the union officials who requested that their names and union affiliation be disclosed.

Health and Safety regulators hinder coordination and restrict just enforcement of labour laws.

- Economic Incentives: Public infrastructure projects rely heavily on cost suppressed labour, government legitimisation of migrant labour exploitation, and unacknowledged fiscal benefits from migrant construction workers' spending.

These elements coalesce to form a deliberate structure that prioritises rapid labour supply over worker dignity.

Significance of the Study

This research makes several contributions to academic and policy debates:

- It offers a comprehensive, multi-actor qualitative analysis of migrant construction labour in Aotearoa New Zealand.
- It foregrounds the psychological and emotional dimensions of visa-tied labour, an area neglected in previous studies of migration that predominantly focus on law and economics.
- It highlights, in the absence of systemic support, the indispensable yet under-resourced role of community organisations and NGOs supporting migrants.
- It exposes how policies, such as the AEWV and MEPV, function in practice, delineating points of failure and unintended negative consequences.

It is hoped that the findings of this report will inform policymakers, labour market regulators, industry stakeholders, and migrant support services. Ultimately, we hope that it will help to align Aotearoa New Zealand's migration system with its commitment to fairness, transparency, and human rights.

Policy Recommendations

In order to address the exploitation and promote equitable inclusion of migrant construction workers, this report calls for:

1. Decoupling Visas from Employers
 - Introduce sector-wide mobility visas which allow intra-sector lateral job changes without needing a variation of condition (VOC) application.
2. Independent Migrant Labour Regulator

- Establish a standalone authority with proactive audit powers and enforcement capabilities.
3. Regulation of International Recruitment
 - Mandate bilateral agreements with countries of origin to prohibit worker-paid placement fees and ensure transparent contracts.
 4. Guaranteed Access to Rights
 - Embed ACC, healthcare, tenancy, and legal aid entitlements within visa conditions.
 5. Ethical Public Procurement
 - Tie government contracts to verified labour-rights compliance in subcontracted supply chains.
 6. Redesign of Protection Visas
 - Lower evidentiary barriers for the MEPV, and grant immediate, temporary work rights until an investigation is concluded.
 7. Institutionalise Community Hubs
 - Fund migrant-led support centres providing multilingual, legal, and financial guidance and wellbeing support.
 8. Pathway to Permanent Residence
 - Offer residency routes based on sustained contributions by migrant construction workers, thereby facilitating community integration.
 9. Education and Awareness
 - Incorporate migrant contributions and labour-rights education in civic curricula and public campaigns.
 10. Government transparency and accountability
 - Ensure that economic growth is not at the cost of human rights and social justice for migrant workers.

These measures are aimed at repositioning workers from victims of exploitation to empowered actors with agency and rights.

Conclusion

Migrant construction workers are indispensable components of, and catalysts for, Aotearoa New Zealand's growth. Nevertheless, they remain entrenched in conditions resembling modern-day trafficking. High recruitment fees often precipitate the incurrence of debt, dependency on employer-tied visas, regulatory loopholes, and fear-based management. These factors coalesce to suppress worker dissent and perpetuate exploitation. Community advocates and unions bear the weight of systemic failures, while ethical employers face moral exhaustion under seemingly arbitrary compliance regimes. This report demands a comprehensive structural transformation — one that aligns economic policy with fundamental human rights, acknowledges the contributions of migrant construction workers, and constructs a social contract founded on fairness, dignity, and solidarity.

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Chapter 1 - Introduction

Underpinned by increasing urbanisation, population growth, and significant infrastructure development projects, Aotearoa New Zealand's construction industry has grown rapidly in recent years. This growth has created significant demand for both skilled and unskilled labour which is increasingly being met by migrant workers on temporary visas. Whilst these workers fill critical gaps, their experiences often remain under-studied, and their contributions to national development overlooked. This study investigates the challenges and lived realities of migrant construction workers in Aotearoa New Zealand. It draws on multiple stakeholder perspectives to highlight the complex dynamics of labour supply, exploitation, and policy.

Across Aotearoa New Zealand, construction projects rely on a mosaic of labour-hire companies, subcontractors, and Accredited Employer Work Visa (AEWV) holders. These fragmented elements create a nebulous employment landscape which raises questions about regulatory oversight, enforcement of labour standards, and the sociolegal mechanisms which govern migrant employment. Despite legislative frameworks such as the Employment Relations Act 2000 and the Health and Safety at Work Act 2015, gaps in enforcement persist leaving many migrants vulnerable to wage theft, precarious working conditions, and limited avenues for redress. This research seeks to raise awareness about this detrimental gap between policy intentions and ground realities.

Research Aims and Objectives

This study pursues three core objectives:

1. Document the lived experiences of migrant construction workers, specifically, their working conditions, recruitment pathways, and coping strategies in the face of exploitation.
2. Examine the roles and perspectives of key intermediaries—labour-hire companies as employers, unions, and community organisations—in shaping migrant labour dynamics.

3. Develop evidence-based policy recommendations aimed at strengthening legal protections, enhancing regulatory enforcement, and promoting fair treatment across the migrant construction workforce.

By integrating data from four distinct stakeholder groups, the research provides a comprehensive view of the migrant construction labour industry in Aotearoa New Zealand. It moves beyond singular narratives to illustrate how policy design, employer practices, and community support structures intersect.

It is our hope that this research informs policy reform and societal changes that lead to an improvement in the working conditions for migrant construction workers, ensuring their dignity and a good quality of life in Aotearoa New Zealand. Furthermore, this research may also indirectly benefit community organisations that provide support and services for migrants. If working conditions for migrant construction workers can be ameliorated, the already scarce resources of community organisations can be re-allocated to other areas. Indeed, wider society stands to benefit from the presence of migrant construction workers who are experiencing positive working conditions while building their homes, their livelihoods, and Aotearoa.

Methodological Overview

A qualitative, thematic approach underpins the design of this study. The key methodological feature included a diverse group of participants - 19 migrant construction workers, two union officials, three community workers, and three employer representatives from labour hire companies. Data was collected from six focus-group interviews and six individual interviews conducted between October 2024 and January 2025. All interviews were face-to-face, except a community worker interview which was conducted online. Interpreters facilitated three interviews to ensure linguistic accessibility. The analytical framework involved a hybrid coding strategy which combined manual thematic analysis with NVivo software. Interviews were transcribed verbatim, initially open-coded, then refined into selective themes. Ethical considerations included the use of pseudonyms to protect participant anonymity, written and oral consent procedures to safeguard confidentiality, and participants receiving koha in recognition of their time and knowledge.

This approach balanced methodological rigour with sensitivity to power dynamics, ensuring that the voices of the migrant construction workers remained central to this analysis.

Research Questions

The study addressed the following questions:

1. What recruitment pathways and contractual arrangements shape the migration experiences of AEWV construction workers in New Zealand?
2. How do labour-hire firms, accredited employers, unions, and community organisations perceive and respond to the issues facing migrant construction workers?
3. In what ways do visa conditions, pre-migration debt, and sector-specific labour market structures contribute to systemic vulnerabilities?
4. What policy and practice reforms can strengthen the working conditions, legal protections, and well-being of migrant construction workers?

These questions guided both data collection and thematic synthesis, enabling a focused yet comprehensive exploration of migrant labour dynamics.

Structure of the Report

To facilitate clarity and depth, the report is organised into 11 chapters:

1. Introduction: Outlines the context of the study, the methodology and the research questions. It also provides a brief outline of the subsequent chapters.
2. Literature Review: Analyses existing scholarship on migrant labour in Aotearoa New Zealand's construction industry.
3. Methodology: Details research design, data collection processes, and strategies for analysis.
4. Analysis and Discussion
5. Findings: Community Workers - Presents insights from community-based advocates.
6. Findings: Employers - Explores the perspectives of ethnic-led labour-hire firms.

7. Findings: Union Officials - Describes the unions' experiences, the challenges they encounter, and reform proposals.
8. Findings: Construction Workers - Illustrates the lived experiences, hardships, and resilience of migrant labourers.
9. Findings: Economic Benefits for Aotearoa New Zealand from the Exploitation of Migrant Construction Workers.
10. State Legitimization of Labour Exploitation: Investigates how the state and society benefit from or perpetuate migrant precarity.
11. Conclusion: Policy Recommendations, contributions, limitations of the study, and recommendations for future research.

Each chapter links to the previous one, moving from contextual foundations to stakeholder-specific analyses, before culminating in a holistic critique and reform agenda. By mapping the multi-faceted ecosystem that shapes migrant construction labour in Aotearoa New Zealand, this study aims to produce insights that are not only scholarly but also pragmatically valuable. The following chapters will describe systemic drivers of exploitation, interpersonal dynamics of trust and coercion, and avenues for policy and collective action required to forge a more equitable and resilient construction sector.

Chapter 2 - Literature Review

Introduction

This literature review examines the existing body of research on migrant construction workers in Aotearoa New Zealand with a particular focus on their working conditions, the regulatory landscape, experiences of exploitation, economic contributions, and social challenges. In addition to academic articles, published studies and government and commissioned reports, this review utilizes reports from credible websites and media articles focused on the plight of migrant construction workers.

Rapid expansion in Aotearoa New Zealand's construction industry has increased reliance on migrant workers to fill workforce shortages (Lai & Rasheed, 2021). Consequently, migrant workers have become an essential component of the construction sector. Their increasing presence and participation in Aotearoa New Zealand's workforce beg questions concerning their working conditions, regulatory oversight, and broader socio-economic implications (Lamm et al., 2017; Davies, 2023).

Despite their significant contributions, migrant construction workers often encounter systemic challenges including precarious employment arrangements, lower wages compared to local workers, and heightened risks of exploitation (Stringer, Collins, & Michailova, 2022). The migrant worker sector is also characterised by inconsistent enforcement of labour laws and policies leaving many workers vulnerable to workplace abuse. Furthermore, studies indicate that migrant workers frequently struggle with social integration, language barriers, and limited access to training and career progression opportunities (MacLennan, 2018; Gaviola, 2020).

Legal and Regulatory Framework for Migrant Construction Workers

The regulatory framework governing the employment of migrant workers in Aotearoa New Zealand remains a subject of ongoing scrutiny. Labour laws, including the Employment Relations Act 2000 and the Health and Safety at Work Act 2015, provide fundamental protections; however, enforcement inconsistencies and legal loopholes continue to place migrant workers at risk of exploitation (Anderson, 2014). While these laws establish minimum employment standards, research indicates that in fact many migrant workers face adverse working conditions due to weak regulatory oversight (Stringer, Collins, & Michailova, 2022).

One of the primary concerns surrounding labour regulation in Aotearoa New Zealand is the role that labour hire companies play in circumventing legal responsibilities (Anderson & Kenner, 2019). These companies, which act as intermediaries between migrant workers and construction businesses, are often criticised for exploitative practices, including underpayment, misrepresentation of contracts, and unsafe working conditions (Wilson, 2014). Despite the legal obligation to ensure fair employment practices, gaps in enforcement mechanisms allow labour-hire companies to engage in questionable employment practices with minimal repercussions (LeBaron, 2014).

Recent policy developments have sought to address some of these issues. The Migrant Exploitation Protection Work Visa (MEPV), introduced to provide a recourse for workers experiencing abuse, represents an attempt to mitigate vulnerabilities within the migrant workforce. However, critics argue that the MEPV is often inaccessible due to bureaucratic barriers, and offers insufficient amelioration due to its temporary nature². Additionally, new legislative reforms in 2025 have altered the landscape of migrant employment³. These changes include the removal of wage threshold requirements for certain visa categories and the introduction of a seasonal work visa specifically targeting construction workers. Although these reforms are intended to alleviate workforce shortages and formalise employment conditions, their long-term efficacy remains uncertain as researchers had earlier cautioned against the impacts of previous legislative reforms that may inadvertently contribute to further exploitation (Yao et al., 2015; Mangat, 2021).

Another concerning issue is the lack of governmental oversight in addressing labour violations. While agencies such as Immigration New Zealand and the Ministry of Business, Innovation and Employment (MBIE) are responsible for ensuring compliance with labour laws, studies suggest that enforcement of these laws remains inadequate (Collins & Stringer, 2019). The New Zealand Herald's property editor Anne Gibson stated to Newsroom (The Detail)⁴ that the liquidation of many construction companies post-COVID had exacerbated instability within the industry, affecting

² <https://www.queencitylaw.co.nz/news-views/5-reasons-why-you-shouldnt-apply-for-the-migrantexploitation-protection-visa>

³ <https://www.mbie.govt.nz/immigration-and-tourism/immigration/immigration-legislationreviews/immigration-act-2009-amendments/immigration-fiscal-sustainability-and-system-integrityamendment-bill>

⁴ <https://newsroom.co.nz/2023/04/11/construction-under-stress/>

employees who were often not paid when their employers became insolvent. Scholars argue that, without strengthened enforcement mechanisms and increased accountability for employers, legislative reforms alone will be insufficient to protect migrant workers (Shum-Kuen-Ip, 2019). Legal and regulatory frameworks in Aotearoa New Zealand have evolved to offer theoretical protection to migrant workers. However, enforcement failures and systemic loopholes continue to undermine workers' rights (Stringer, Collins & Michailova, 2022). These shortcomings contribute to precarious employment conditions and ongoing labour exploitation.

Substandard Working Conditions of Migrant Construction Workers

Studies conducted by Rotimi et al. (2023, 2021) have highlighted various aspects of the working conditions that migrant construction workers in Aotearoa New Zealand experience. Researchers found that migrant workers - compared to their local counterparts - face challenging employment arrangements with longer working hours, lower wages and limited job security. Wright and Clibborn (2019) noted that migrant workers were frequently underpaid compared to industry standards.

Moreover, the profit-making motive of agents and/or employers and the commodification of migrant workers exposes them to exploitation. Steve Kilgallon in his Stuff media report⁵ stated that:

“A token entitles an employer to bring a migrant worker into the country and there was serious money to be made from them - illegally if you were willing to breach Immigration rules and ‘sell’ jobs for premiums offshore to desperate Chinese, Indian and Nepali migrants, or legally because labour-hire companies could bring in migrants on a \$27.66 an hour wage, and effectively rent them out to companies at \$42 an hour.”

Buckley et al. (2016) highlighted that many migrant workers are employed under temporary contracts, often with no guarantees of renewal. This instability is exacerbated by the migrant workers' reliance on labour-hire companies that frequently engage in wage theft and provide substandard living conditions. These studies suggest that, despite the legal frameworks designed to ensure fair treatment, enforcement

⁵ <https://www.stuff.co.nz/nz-news/350236262/riches-rags-inside-story-exploitation-scandal> April 14, 2024

inconsistencies and exploitative employer practices continue to undermine the well-being of migrant labourers.

Health and safety conditions

Lamm et al. (2017) and Rotimi et al. (2021) noted that migrant construction workers face poor health and safety working conditions, often being placed in hazardous environments without sufficient protective equipment and/or safety briefings. Indeed, migrant workers were also disproportionately exposed to occupational hazards and workplace accidents due to inadequate training. A lack of understanding of their rights and entitlements, language barriers, and cultural differences compounded this issue (MacLennan, 2018). Furthermore, MacLennan (2018) and Gaviola (2020) added that limited access to healthcare services further exacerbated the risks associated with workplace injuries, leaving many migrant workers vulnerable to chronic health issues.

Lack of career advancement opportunities

Studies suggest that migrant workers often found themselves confined to low-skilled positions with minimal prospects for upward mobility (Landolt & Thieme, 2018; Vasey, 2017; Siar, 2013). Unlike their local counterparts, migrant workers face systemic barriers to professional development, including restrictive visa conditions and employer reluctance to invest in skill-building initiatives. This stagnation contributed to widespread dissatisfaction and economic instability among migrant labourers.

Prevalence of recruitment fraud

Many migrant workers travel to Aotearoa New Zealand under promises of stable employment and fair wages, only to discover exploitative conditions upon arrival (Collins & Stringer, 2022; Masters-Awatere et al., 2017). This included deceptive hiring practices, exorbitant pastoral care fees, and failure to deliver promised job security.

The employment of migrants with insecure terms of employment often resulted in extreme financial and emotional distress. Cases documented by Davies (2023)

revealed that many workers were reluctant to report abuse due to fear of retaliation or visa cancellation. Julia Boraston⁶, writing for Employment Hero, noted the cases in which migrant workers successfully sued their employers for breaches of contract and wage theft. However, these cases remain exceptions rather than the norm. Other successful cases were also reported by Paulinet Tamaray⁷ writing for the News/Human Resources Director.

Psychological and emotional manipulation by unscrupulous employers

Mohamed (2024) and Anderson (2014) found that employers often instilled fear in migrant workers, leveraging their dependency on work visas to suppress complaints about workplace mistreatment. This coercion resulted in a cycle of silence and continued abuse, further entrenching systemic inequalities within the industry.

The liquidation of many construction companies has also heightened concerns regarding exploitation. As numerous construction firms face financial instability, migrant workers are frequently the first to lose their jobs, often without compensation. The lack of financial security and social support mechanisms intensified their vulnerability, highlighting the urgent need for enhanced labour protections.

Economic and Social Contributions of Migrant Construction Workers

Migrant construction workers play a crucial role in sustaining Aotearoa New Zealand's construction industry, but their contributions are often overlooked in public and policy discussions. Their presence has helped address persistent labour shortages, allowing for the completion of critical infrastructure projects and urban expansion initiatives (Stringer et al., 2022). However, their economic and social impact remains a topic of academic debate among researchers, with some highlighting the benefits of migrant labour whilst others underscore the risks associated with increased dependency on foreign workers (Shum-Kuen-Ip, 2019).

Economically, migrant workers contribute to productivity by filling skill gaps and undertaking labour-intensive roles that local workers are often reluctant to accept. Studies by Rotimi et al. (2023) and Buckley et al. (2016) showed that sectors such as

⁶ [https://employmenthero.com/nz/blog/wage-theft/#:~:text=employees%20for%20years.-,Case%202:%20Restaurant%20owner%20owes%20\\$40K%20in%20unpaid%20wages,over%20\\$40%202Cooo%20in%20unpaid%20wages.%20Feb%2024,%202025](https://employmenthero.com/nz/blog/wage-theft/#:~:text=employees%20for%20years.-,Case%202:%20Restaurant%20owner%20owes%20$40K%20in%20unpaid%20wages,over%20$40%202Cooo%20in%20unpaid%20wages.%20Feb%2024,%202025)

⁷ <https://www.hcamag.com/nz/specialisation/employee-engagement/flaws-in-recruitment-migrantworkers-win-case-as-employer-breaches-visa-obligations/517094>

construction benefit from the diverse skill sets and work ethic brought by migrant workers. However, concerns persist regarding wage suppression and competition for jobs as an influx of foreign labour could contribute to downward pressure on wages for both migrant and local workers (Islam, 2024; Islam et al., 2024).

Socially, the integration of migrant workers into local communities presents both opportunities and challenges. While some researchers argue that migrant labour enhances cultural diversity and fosters economic dynamism (Gaviola, 2020), others note significant barriers to social inclusion. Language difficulties, limited access to social services, and discrimination continue to hinder the full participation of migrant workers in Aotearoa New Zealand society (MacLennan, 2018; Searle et al., 2015).

The recent decline in the construction industry has led to job losses and reduced hiring prospects for migrant workers, who then face additional challenges due to their visa dependent status, and are limited in their ability to seek alternative employment without risking deportation (Buckley et al. 2016; Anderson, 2010). This situation underscores the need for more robust employment protections and long-term policy solutions to support migrant workers during economic downturns⁸ (Ghorbani, 2022). Despite these numerous challenges, migrant workers continue to contribute to Aotearoa New Zealand's economic growth and infrastructure development. Policymakers must balance the benefits of migrant labour with the need to protect workers' rights and ensure fair working conditions.

Media Representation and Public Perception of Migrant Workers

Media representations of migrant workers play a significant role in shaping public perception, policy decisions and social attitudes towards migration and migrant workers in Aotearoa New Zealand. The portrayal of migrant labour in news outlets, policy debates, and public discourse influences both societal attitudes and policy. Research has shown that media narratives move between depicting migrant workers as essential contributors to economic growth and as a burden upon local employment and resources (Shum-Kuen-Ip, 2019).

The framing of migrant workers in the media is also frequently influenced by economic and political contexts. During periods of economic growth, media reports tend to highlight the contributions of migrant workers in addressing labour shortages and

⁸ <https://visitworld.today/pl/blog/2566/work-in-new-zealand-in-2025-everything-you-need-to-know-about-the-countrys-simplified-migration-policy>

driving infrastructure projects. However, during economic downturns, the discourse often shifts to concerns about job competition, wage suppression, and social tensions (Shum-Kuen-Ip, 2019). Such fluctuations in representation affect how both the public and policymakers respond to migration-related issues. Indeed, extensive media coverage of job losses and financial distress among migrant workers have pressured government agencies to review existing labour protections and propose emergency relief measures demonstrating the influence of media narratives on not only public sentiment but also legislative priorities⁹.

Shum-Kuen-Ip (2019) suggests that media outlets sometimes perpetuate stereotypes, reinforcing perceptions of migrant workers as either exploited victims or economic threats. Negative portrayals can lead to increased social isolation and discrimination against migrant communities, limiting their integration into Aotearoa New Zealand society (MacLennan, 2018). Conversely, positive narratives that emphasise the skills and economic benefits that migrants bring can foster more inclusive attitudes and supportive policies (Lee & Cain, 2019).

Furthermore, reporting¹⁰ on migrant worker exploitation—such as cases involving illegal recruitment and wage theft—has prompted increased regulatory scrutiny. Indeed, such coverage has contributed to policy reforms, including the introduction of the MEPV. Rather than reactionary public sentiments, a more balanced and evidence-based media discourse is necessary to ensure that policy decisions reflect the realities faced by migrant workers.

Policy Recommendations and Future Directions

Addressing the challenges faced by migrant construction workers in Aotearoa New Zealand requires comprehensive policy interventions that enhances legal protections, improves working conditions, and promotes fair treatment within the industry. Existing frameworks, whilst providing a foundation for worker rights, often fail due to weak enforcement mechanisms and employer non-compliance (Davies, 2023). Thus, a multi-faceted approach is necessary to ensure that migrant workers are adequately protected and integrated into the labour market.

⁹ <https://visitworld.today/pl/blog/2566/work-in-new-zealand-in-2025-everything-you-need-to-know-about-the-countrys-simplified-migration-policy>

¹⁰ <https://tikatangata.org.nz/news/migrant-worker-exploitation>

A critical area for improvement is the strengthening of enforcement mechanisms. Collins and Stringer (2019) and Anderson (2014) have shown that while policies exist, they are not consistently applied, allowing exploitative labour practices to persist. Union leader Richard Wagstaff recommended enhanced monitoring of labour hire companies, increased penalties for non-compliant employers, and regular workplace inspections to curb violations¹¹. Additionally, streamlining access to justice for migrant workers is crucial. Legal complexities and fear of deportation often deterred workers from reporting exploitation.

Since the MEPV was introduced in 2021, changes were made in 2024 in that exploited migrants could no longer apply for a second protection visa for an additional six months. The MEPV also excludes situations such as non-payment of final wages as a result of liquidation except in the cases where other exploitative behaviour occurred¹². It was proposed that policy reforms focus on simplifying complaint procedures, increasing accessibility to legal aid, and establishing dedicated support services for migrant workers facing abuse.

Another recommendation was the implementation of fair wage policies and job security measures. Studies suggest that wage disparities between migrant and local workers persist despite legal protections (Stringer, Collins, & Michailova, 2022). Wage transparency, mandatory contract regulations, and employer accountability measures are necessary to ensure equitable compensation (Gaviola, 2020; MacLennan, 2018). Furthermore, visa regulations should be revised to allow greater flexibility for migrants seeking alternative employment when faced with exploitative conditions¹³.

Public awareness campaigns and community integration initiatives also play a vital role in improving the experiences of migrant workers. Misinformation and negative public perception, often exacerbated by biased media representations (Shum-KuenIp, 2019), contribute to discrimination and social isolation. Government agencies and labour organisations should work together to promote accurate portrayals of migrant contributions and foster inclusive work environments (Mangat, 2021).

¹¹ <https://www.miragenews.com/aotearoas-moral-failure-on-migrant-worker-rights-1299890/>

¹² <https://www.immigration.govt.nz/visas/migrant-exploitation-protection-work-visa/> ¹³ <https://visitworld.today/pl/blog/2566/work-in-new-zealand-in-2025-everything-you-need-to-know-about-the-countrys-simplified-migration-policy>

The repercussions of the recent crisis in the Aotearoa New Zealand construction industry whereby many companies were liquidated¹³ further underscores the need for emergency relief measures for affected workers. Temporary financial assistance, re-employment programs, and mental health support integrated into policy frameworks would provide stability for displaced migrant labourers. Long-term strategies are needed to prevent similar crises from disproportionately impacting vulnerable migrant workers.

Ultimately, the future of Aotearoa New Zealand's construction industry depends on the fair treatment and sustainable inclusion of migrant labour. A combination of stricter enforcement, accessible legal pathways, wage reforms, public education through media, and emergency relief initiatives is required to create an equitable and resilient workforce. This approach can bridge the gaps in current policies and ensure that the contributions of migrant construction workers are recognised and valued within the national labour market.

Conclusion

The literature on migrant construction workers in Aotearoa New Zealand reveals a complex interplay between economic necessity, legal protections, and social challenges. While migrant labour has become an indispensable component of the construction industry, numerous studies highlight the unsafe and unfair conditions under which many of these workers operate. Issues such as wage exploitation, job insecurity, and unsafe working conditions persist despite the existence of legal frameworks intended to safeguard worker rights.

The literature suggests that addressing the challenges faced by migrant construction workers in Aotearoa New Zealand requires a multi-pronged approach incorporating stricter regulatory enforcement, accessible legal recourse, fair wage policies, and improved public perceptions through media and public awareness campaigns. As the industry continues to expand, ensuring the fair treatment and protection of migrant workers will be crucial for creating a more equitable and sustainable construction sector.

¹³ <https://www.oneroof.co.nz/news/collapse-crisis-25-of-all-company-failures-in-2022-fromconstruction-industry-41832>

Chapter 3 – Methodology

This study sought to shed light on the experiences of migrant construction workers in Aotearoa New Zealand's construction industry. Specifically, it focused on those who are on three-year AEWVs. Conversations were had with the workers, labour hire employers, union officials and community workers to understand the landscape pertaining to migrant construction workers in the country.

Recruitment process

The principal researcher shared information about this study with union representatives and migrant community organisations. These representatives – who had existing contact with migrant workers – in turn shared the information with potential participants (migrant construction workers, union representatives, and community workers and volunteers). Those interested contacted the principal researcher, the unions, or community organisations expressing their interest.

Potential participants who made contact and provided their email addresses were sent a Participant Information Sheet (PIS) which outlined the research, and an invitation to participate. Participants were given two weeks to accept the invitation. Those who did were contacted by a designated community member to arrange an interview under conditions of confidentiality.

The timing and place of the focus group interviews with the migrant construction workers were also organised by this designated community member. Food and non-alcoholic beverages were available to the participants at these interviews.

Study Participants

The participants of this study included two union officials that worked directly with migrant construction workers, three workers from two community organisations which offered advice and well-being support to migrant construction workers, three managers of two labour hire companies which employed migrant construction workers, and 19 migrant construction workers. The migrant construction workers came from the Philippines, China, Bolivia and Colombia. All but one of the construction workers identified as male.

The participants were aware of the aim of this research study and were assured that their involvement would not adversely affect them in any way. A cordial and

approachable manner, and mutual respect for each other's cultural values were maintained to ensure there was minimal power imbalance between the researchers and the participants.

Data collection method

This qualitative study employed face to face individual and focus group interviews to gather information. All interviews took place between October 2024 and January 2025 across Tāmaki Makaurau (Auckland). A total of 12 interviews were carried out – two interviews with union officials, two interviews with workers from community organisations, two interviews with managers from labour hire companies, and four focus group interviews and two individual interviews with migrant construction workers. All the interviews were face to face, except for one which was conducted online. The migrant construction workers had the choice to opt for individual interviews to mitigate the risk of confidentiality breaches as this is increased in a group setting.

Written consent was obtained from the participants at face-to-face interviews, and the consent sheets were collected for record-keeping. Oral consent was obtained from the participant in the online interview which was captured as a recording.

Participant details were confidential to the researchers. To protect their identity, no information that may identify the participants is made available in the report. Pseudonyms are used for all participants, community organizations and labour hire companies from which the respective participants were drawn. The union officials requested that they and their unions be identified to add credibility to their information.

The principal researcher carried out all interviews, with one of the co-researchers in attendance for most of the interviews. Interviews ranged from 50 minutes to 120 minutes. Most of the interviews were conducted in English, with interpreters required and utilised in three of the interviews. Notes were taken during the interviews mainly to follow up on statements made by the participants.

The interviews were transcribed and analysed by the research team. Participants were given the opportunity to read through transcripts of their interviews if they wished.

Pertinent written material or links given to the researchers by the participants were, with the participants' permission, incorporated into the study's data. The principal researcher also gathered information from a meeting held between union officials and a group of migrant construction workers. This information was not used in the writing of the report.

Participants who became emotional during interviews still insisted on sharing their experiences without wanting additional support. As a precaution, they were provided with relevant community support/services.

The participants were given a koha in appreciation of their time and knowledge given to the research.

Data analysis

Transcripts were read and analysed. Importance was placed on points that participants emphasised or that were frequently raised. The key concerns of the study participants - migrant construction workers, community workers, union officials and migrant construction employers - were highlighted based on their connection to and involvement in the issues of migrant construction workers in Aotearoa. The findings are accordingly presented.

Foundation North is the external funder for this study.

Chapter 4 - Findings, Analysis and Discussion

Introduction

This chapter presents a comprehensive overview of the thematic analysis of the investigation into the labour conditions of migrant construction workers in Aotearoa New Zealand. The research draws on 12 in-depth interviews with 27 participants conducted with the informed consent of all participants.

To enhance analytical clarity, the interviewees were grouped into four key categories based on their roles within the labour ecosystem:

- Community Workers
- Labour Hire Company Representatives (Employers)
- Union Officials
- Construction Workers

Each of these groups offered a distinct but interconnected lens through which to examine the systemic challenges facing migrant construction workers. The thematic analysis not only captured the lived experiences of individuals but also illuminated the broader structural, legal, and institutional forces that shaped those experiences.

To ensure both analytical rigour and depth, the research employed a hybrid methodology combining manual coding with NVivo-assisted qualitative analysis. Themes and codes were developed through iterative engagement with the data, guided by both participant narratives and a critical review of the academic and policy literature.

The findings of this research are presented in four main chapters, each corresponding to a specific participant group. Each chapter begins with a summary highlighting the key themes that emerged from the interviews, followed by an in-depth analysis that expands on these themes through interpretation and selected verbatim quotations.

This analysis has been deliberately structured into four distinct categories corresponding to each of the participant groups rather than merging all data into a single, integrated analysis. This decision was taken to preserve the ontological integrity of each group's positionality and to avoid diluting the divergent power relations that frame their respective perspectives. Grouping all findings together

would also risk obscuring the critical asymmetries that exist between those who experience exploitation directly (migrant workers), those who witness and intervene from the margins (community workers and unions), and those who contribute to the conditions (employers) experienced by the migrant workers.

By maintaining categorical boundaries, the report enables a relational and comparative analysis without collapsing the specificity of each narrative. This structure also honours the ethical commitment to voice, ensuring that the lived experiences of construction workers are not overshadowed by the institutional language of union officials or the managerial rationalisations of employers. Separating data by participant groups served to strengthen analytical clarity while preserving the richness and sensitivity of social phenomena. This perspective supports the approach taken in this report, allowing the reader to trace systemic contradictions across perspectives while maintaining methodological rigour. Dividing the findings by participant category was not only a methodological choice, but also a political one: it reflects a commitment to amplifying marginalised voices while exposing the institutional scaffolding that sustains migrant precarity.

In addition to the four core thematic chapters (Chapters 5 – 8), this report includes two further thematic chapters on findings. Chapter 9 briefly reveals how Aotearoa New Zealand's government, private industry, and society at large benefit economically and politically from migrant construction work. Chapter 10 offers an analysis of the systemic structures that underpin migrant precarity and outlines how the Aotearoa New Zealand government legitimizes the ongoing exploitation of migrant construction workers while shifting the costs onto workers and under-resourced civil society actors. The chapter interrogates the blurred boundaries between legal employment and trafficking-like conditions and proposes structural reforms grounded in the study's findings. Chapter 11 highlights the original contributions as well as the limitations of the study, makes recommendations for policy makers and suggestions for further research, and reflects on the emotional toll experienced by the research team. By situating these reflections at the conclusion of the report, the study moves from thematic documentation to critical synthesis, underscoring the ethical urgency for reform.

Community Workers

Qualitative data was collected from three community workers in two interviews. The findings from these interviews form one of the four thematic groups in the broader study on the labour experiences of migrant construction workers in Aotearoa New Zealand.

As mentioned above, a hybrid approach was used, combining both computer-assisted qualitative data analysis through NVivo and manual thematic coding. Interviews were transcribed and subjected to iterative reading to identify patterns, repeated expressions, and points of emphasis. Initial open coding was conducted to capture emergent concepts which were then grouped into themes reflecting shared concerns and structural issues. Themes were continually refined in dialogue with both the interview data and the wider literature review.

Table 1. Themes Identified Through Thematic Analysis for the Community Workers.

Category	Themes
Community Workers	Insecure Employment Emotional damage Volunteer Strain and Advocacy.

Labour Hire Company Representatives (Employers)

Key themes were derived from in-depth interviews with three representatives from labour hire companies i.e. employers of migrant construction workers operating in Tāmaki Makaurau (Auckland). The first interview featured Dave, owner of a small Chinese labour hire company, who highlighted the economic fragility and labour tensions faced by migrant-reliant small businesses. The second interview was carried out with Gise and Jerry, directors of Ocean Hire, a labour hire company operating in the construction industry that has employed dozens of Filipino migrant workers under AEWV and Recovery Visa schemes. Their testimonies offer critical perspectives on the ethical, financial, and regulatory pressures facing employers in Aotearoa New Zealand's construction sectors.

Table 2. Themes Identified Through Analysis for Labour Hire Employers.

Category	Themes
Labour Hire Company Representatives (Employers)	Decline of the Construction Industry Legal compliance and Economic Survival Corruption and Exploitation Limiting Factors Recruitment

Union Officials

Key themes were derived from in-depth interviews with two union representatives: Dennis Maga, general secretary of First Union and Mikee Santos, coordinator for the Union Network of Migrants (migrant organisation under First Union).

Table 3. Themes Identified Through Analysis for Union Officials.

Category	Themes
Union Officials	Contract Conditions Labour Hire Exploitation Exploitation by ‘Pastoral Care’ Operators Inadequate Pre- and Post-Arrival Orientation Risks, Irregularities and Lack of Accountability

Migrant Construction Workers

This study is grounded in the lived experiences of 19 migrant construction workers¹⁴ currently engaged across multiple locations in Aotearoa New Zealand. Their insights were collected through six face to face interviews, including four focus group conversations comprising groups of four, four, six, and three participants respectively, and two individual interviews. Among the participants were 15 individuals from the Philippines, one from China, and three from Latin America (two from Colombia and one from Bolivia), representing a broad spectrum of cultural and linguistic diversity. Their testimonies shed light on the multifaceted challenges encountered by migrant workers operating within a labour framework dominated by dubious recruitment requirements, temporary visa conditions, and unregulated work hours.

¹⁴ For a detailed breakdown of interview participants, see Table 5 in Chapter 8 Construction Workers.

The chapter on the migrant construction workers identifies key themes that expose consistent patterns of exploitation, ranging from deceptive recruitment processes to financial vulnerability, legal uncertainty, emotional strain, and systemic neglect. The analysis is framed within conversations surrounding migrant precarity, transnational labour asymmetries, and institutional complicity. Quotations from participants are incorporated throughout to centre their voices and emphasize the human impact of structural disadvantage.

Table 4. Themes Identified Through Analysis for Construction Workers.

Category	Themes
Construction Workers	Contract Agreements and Irregularities Labour Hire Companies' Exploitation and Evasion Government and agency responsibilities Wellbeing Recruitment debt Post Arrival Living Expenses
Total	6 Themes

Chapter 5: Insights from Community Workers

Introduction

This chapter presents thematic content drawn from interviews with staff (Kirste and Tommi who were interviewed together) at Migrant Support Services (MSS) and Claudia from Community Migrant Support (CMS), integrating testimonies with academic literature. It reveals patterns of suffering, injustice and care, and offers recommendations, highlighting the indispensable role of community organisations in safeguarding the welfare of migrant construction workers.

The analysis that follows examines three core themes: Insecure Employment, Emotional damage, and Volunteer Strain and Advocacy.

Insecure Employment

MSS staff described the offshore recruitment of migrant construction workers with enticements of inflated job promises. On arrival, however, the migrants were subjected to arbitrary hour cuts or contract terminations without pay. Labour hire companies were said to serve as intermediaries and often became agents of exploitation.

“A concern is that when migrant workers get redundant, for example, their company has collapsed and gone into receivership, they’re still guaranteed that they’ll be able to get their final pay. However, they didn’t get any – like not even a cent from their final pay.” (Tommi, MSS)

“These (labour hire) companies are like middlemen, but instead of helping the workers, they trap them... These firms keep the power, and the workers have none.” (Kirste, MSS)

Legal loopholes and weak enforcement by Immigration New Zealand and Ministry of Business, Innovation and Employment (MBIE) exacerbated these issues. Even when violations were uncovered, recourse was slow and limited. Tommi described firms collapsing (closing-down) and rebranding to evade accountability.

“One company shuts down owing workers thousands... Two weeks later they’re operating again under a new logo. The workers get nothing, while the owners walk away clean.” (Tommi, MSS)

Fear-based management, deeply rooted in visa dependencies, silences complaints and entrenches exploitation (Collins & Stringer, 2022). Migrant Support Services (MSS) workers also noted intra-community manipulation, whereby ethnic managers exploited shared backgrounds to enforce compliance.

“Our own community members were involved you know, Chilean, Columbian people, they take advantage of the language, they take advantage of the knowledge they had and offer false hope.” (Claudia, CMS)

In societies where people were more likely to be connected at the higher levels of power, it was dangerous to report any misdemeanours or harmful practices as there would be retaliation by those in charge. The community workers found it difficult to convince the migrant construction workers that they did have some rights as workers and that it was important that they reported on the exploitation that they were facing.

“In the Philippines, you don’t report people, because you stay low. You lie low, you stay low and you focus on yourself. Because when you report, the people you reported to, instead of them helping you, you’ll get in trouble more. And the (workers) bring that mindset. They bring that culture here and no matter how we encourage them and we assure them that ‘we are with you, you’re not alone, and you have rights as a worker here’, it’s their decision.” (Tommi, MSS)

Community workers reported that migrants were arriving with expectations of immediate, fulltime construction jobs, only to wait months for sporadic shifts or face immediate deportation.

“In some cases, we even hear of Filipinos arriving on Sunday and being sent home on Tuesday because the project did not go through due to lack of funding. They were not informed about this before flying to New Zealand.” (Kirste, MSS)

This mirrors Ghorbani (2022) and Lamm et al. (2017), who documented unpaid waiting periods and systemic neglect. Contracts promising 40 hours weekly seldom materialised; workers endured indefinite standby, accruing debt and relying on loans or food parcels.

“They show up with everything—tools, hope, debt—and then nothing happens...He cried in our office. And what do we do? We bring him food, we call the agency, we listen. But we’re not the system.” (Kirste, MSS)

The AEWV's single-employer tie has been argued to discourage complaints for fear of visa cancellation (Davies, 2023). The work visa also limited the support that migrant workers could access.

"If you are a migrant on work visa, you don't have enough money to pay your rent. And because you're a work visa holder, you're not eligible for any accommodation support. So they are forced - either they live in their cars or they hop from one couch to another." (Tommi, MSS).

Community workers were aware that labour hire companies cancelled projects without warning when they knew there was not enough work for the workers. The labour hire employers had already made money off the migrant construction workers who had paid them a fee to come to New Zealand.

"Buildhub advertised they were the biggest building company in New Zealand. If you search the... immigration advisor... Global Aboard owner also owned Buildhub. The first six months, they work perfectly because they offer 30 hours. But the problem was when they increase the number, because they bring more than 200 people here. If they keep with the first 50 today, everyone will be happy. The problem was when they think 'uh, this is a good business' and bring more people, more, more, more until the last month they were in liquidation this year in February 12, and just one month before in December came the last workers. So, they knew that they didn't have work for them and still they didn't tell anything, they closed their mouth and the people kept coming." (Claudia, CMS)

Community Migrant Support's testimony revealed the planned deception targeting Latin American migrants. Recruiters partnered with municipal councils overseas, promising training, guaranteed jobs, and residency support, often featuring local politicians at promotional events and advertising on television. Claudia recounted:

"This company is start doing connection with some city council in Chile so for me it was shocking because I didn't want more people to come and stay in the bad situation like others. So I say no, we have to stop this one, we have to talk about it. They (the labour hire companies) have a very good connection in Chile with the TV and with newspaper and they did a program in Chile and they explain. I try to alert the people, please double check you're not coming with your close eyes, believing in all the fantasy they are talking about." (Claudia, CMS)

Printed pamphlets, stamped letters, and WhatsApp messages masked the deception; credible-looking job offers evaporated when firms dishonoured them. The AEWV system continued approving visas for failing companies despite local red flags thus revealing bureaucratic blindness and institutional indifference.

The promises that were made by the labour hire employers were attractive to those that were looking to improve the lives of themselves and their families.

“They promised you can come work three years and just after six months you will get changed to another better work and you can have your own company, and you can have the residence. You can bring all your family. It was too much you know?”
(Claudia, CMS)

Emotional damage

Beyond material hardship, migrants endured severe emotional stress tied to financial instability and fear of deportation. Community workers described crises triggered by legal notices from Immigration New Zealand, often misunderstood due to language barriers. The community organizations did their best to provide immigration advice within the scope of their knowledge and role.

“In our experience, construction workers suffer a lot of anxiety when they have problems in the job and they don’t know what to do with the immigration process or understanding the letters from Immigration New Zealand. We provide free information and try to arrange with them the free immigration session so that they will be guided accordingly. It takes a lot of stress and anxiety off them when we engage them with the licensed immigration advisor. It’s one way of helping them so that they won’t be too stressed about what are their options, and how to communicate, how to answer the letters from the immigration. Especially when they panic about a line saying that ‘if we don’t get it sorted by this time, you might be liable for deportation’. It’s a big shock for them.” (Kirste, MSS)

Language barriers intensified the toll, leaving migrant construction workers unable to interpret contracts, safety guidelines, or deportation warnings.

Migrant Support Services and Community Migrant Support had become de facto mental health providers, offering food parcels, home visits, wellbeing checks, and IELTS classes to alleviate distress.

“We arrange free immigration session, workshops with multiple service users or redundant workers. If we’re able, we do our best to visit them at their homes and provide food packs, wellbeing check just to lessen isolation and just to be there with them. When we have enough funding, we organise free employment workshops and one on one sessions on CV, cover letter and immigration. And just recently, we just finished our two IELTS classes and we did our best to encourage a lot of these migrant workers who just lost their jobs to attend our free online IELTS classes.” (Tommi, MSS)

Tommi explained that the MEPV required proof of exploitation before it was given to workers but it did not mean that those who had become unemployed were required to immediately leave the country:

“When a company closes down, MEPV is not an automatic visa (given to the workers) specially if it’s not apparent that exploitation happened, because MEPV can only be granted when the investigation shows that there is an exploitation. Now with our experience with ELE, automatically you get notified by Immigration New Zealand. If they are aware that you’ve just lost your job, you’re not automatically turned into an unlawful stay. So it takes about weeks at least before they notify you that you have to fly home to your country.” (Tommi, MSS)

Some migrant construction workers adopted drastic survival strategies, for example, fishing at night, and saving costs by sharing meals so that they could save money to send to their families and boost their morale.

“These workers, they live together, so whatever they cook - they cook as a group. They share it with each other. In some cases, these Filipino migrants were fishing at night so that they can have some food in the morning and...Some weekends they go to community food banks organised by church and community groups who are helping migrants in hardship.” (Tommi, MSS)

“We have to remember that even though these migrants lost their jobs, they’re still continuing sending money to their families. So if we give them food packs, at least they don’t have to buy food for them if it lessens their budgeting anxiety.” (Tommi, MSS)

Volunteer Strain and Advocacy

Despite repeated appeals, Community Migrant Support's attempts to engage state agencies were met with silence or perfunctory acknowledgments. Community organizations informed the appropriate agencies of urgent cases, yet government institutions offered no follow-up or resources.

"With the Philippine government, because that's what we're doing right now, we're pushing them to contact the embassy because, regardless of your visa, if you're on a work visa, student visa, PR, resident as long as you're still Filipino, it's the embassy's obligation to support you, so that's our thinking with the Filipino embassy. With other embassies actually, we got a response from Hungarian embassy and they said that we can only support asylum seekers. They don't even support their people who are on work visa. So, it's a case-to-case basis. Sad to say a lot of embassies in my experience they don't even respond." (Kirste, MSS)

"Last December, we actually wrote a letter to Prime Minister Luxon to engage with the ethnic communities. We sent our demands there and everything. We were able actually to get the support of Belong Aotearoa, they have signed our letters. We were asking for 40 hours guaranteed hours (for the migrant construction workers) so that will give them a sense of job security. With Melissa Lee, we have presented the situation of exploited migrants - but the answer that we got from her is 'that's not within my scope'". (Tommi, MSS)

Despite the immense community effort that went into supporting the migrant workers, there was little concrete support from government or funding bodies. Volunteers carried on working despite the exhaustion and lack of support. The emotional toll on advocates was profound.

"For me, my mental health was destroyed for a couple of months...for this reason I took one day off. I work from Monday to Thursday and Friday's my day volunteer for my organisation. I didn't receive any single dollars and every day because it's my passion. I do not complain about that and we understand we are doing the very good job, the very good work." (Claudia, CMS)

The burden to provide an ad hoc crisis response which included coordinating pickups, finding housing, arranging for essentials and groceries, and mental health triage, without any funding support, fell solely on community workers and volunteers.

Consequently, extended exposure to trauma left community workers on the brink of burnout.

Community workers found themselves interpreting complex immigration notices, knowing that they did not have the capacity or knowledge to provide legal advice and concerned that any misinformation might impact on the workers.

“We need legal advice because when we send them to Citizen Advice Bureau, they give 15 minutes and they say, sorry I can’t represent you, or I have a friend he can represent you. But the cost is \$6,000-\$8,000 so they have a lot of concern about payment, contracts etc you know? Everyone want to talk with a lawyer and we can’t provide a lawyer. We just send them for the free advice because they are not residents.” (Claudia, CMS)

Organisations like Migrant Support Services and Community Migrant Support filled critical support gaps— housing referrals, legal orientation, food assistance, and emotional care—often funded personally by volunteers in their own time.

“The funding is only to run the workshops but outside of that, the hours and hours of checking on them takes so much time.” (Kirste, MSS)

Aotearoa New Zealand’s institutional response was inadequate, relying on NGOs to shoulder responsibilities typically managed by state agencies.

“We’re mediators, translators, case managers...sometimes we are the ones bringing food, arranging transport, babysitting children, helping with rent.” (Claudia, CMS)

This continual demand led to burnout and fatigue among community workers who were left with very little time to attend to their own families. As migrants themselves, they knew the stresses that the construction workers were experiencing.

“It’s actually draining, it’s really draining our time, energies - practically we don’t have time for family.” (Kirste, MSS)

“We don’t have time. Because that’s the thing with our experience - when you are faced with migrant workers who just lost their jobs and who are collectively panicking, you tend to become their absorber of stress and anxiety because we have the lived experience of being migrants.” (Tommi, MSS)

Volunteers juggled these responsibilities alongside full-time jobs, with no compensation or structured support. They attended to immigration crises, mental health breakdowns, and wage theft cases over weekends, returning to “*regular jobs like nothing happened*” on Mondays. This unsustainable model underscored the need for institutional backing.

Despite the exhaustion, Community Migrant Support persisted in advocating for policy change and institutional accountability. Claudia critiqued the double standard between ethnic volunteers and paid consultants.

“We go to meetings with government agencies... Then we see a report that says the same thing we told them months ago but now it’s taken seriously.” (Claudia, CMS)

Claudia said that they were often asked to talk about what community organizations needed but no notice was ever taken of it, nor were they taken seriously. Government departments called them to attend panel meetings to provide information but they were never paid for their information or knowledge:

“Nothing, no single dollar. They ask us to do a presentation about who we are. We represent blah, blah, blah and then they cancel us in the last minute. They cancel the meeting but they keep asking for more information.” (Claudia, CMS)

Community workers called for support so that they, in turn, could support the migrant construction workers.

“Support community organisations like us who are working on the ground to help these migrants in hardship.” (Kirste, MSS)

“I would like us to be capable of building a refuge centre for migrants who are losing their accommodation, because it’s just hard.” (Tommi, MSS)

The following recommendations are drawn from the participants and existing literature.

Recommendations

1. Strengthen Labour-Hire Regulation
 - Mandate audits of hiring, payroll, and conditions.
 - Increase penalties for misrepresentation and underpayment.

2. Decouple Visas from Single Employers

- Introduce sector-wide or open work visas to reduce coercion.
- Streamline the MEPV with simplified forms and extended deadlines.

3. Fund Community-Based Organisations

- Provide multi-year funding for legal, language, and trauma services.
- Establish a national migrant support network to ensure regional equity and resource sharing.

4. Promote Migrant-Centred Integration

- Expand free language and cultural orientation through community hubs.
- Develop leadership training for migrant representatives.
- Launch public campaigns to counter anti-migrant narratives.

Conclusion

The experiences of Migrant Support Services and Community Migrant Support echo the literature in that migrant construction workers are the power behind Aotearoa New Zealand's growth yet endure routine exploitation and systemic neglect. Community organisations demonstrate extraordinary commitment but governmental neglect and underfunding render their efforts unsustainable. Structural reform—grounded in accountability, legal empowerment, and resourced community partnerships—is essential.

Chapter 6: Insights from Labour Hire Company Representatives (Employers)

Introduction

This chapter presents a critical analysis of the narratives from three migrant-led construction employers in Aotearoa New Zealand. It juxtaposes the experiences of Dave, a Chinese small business owner in Auckland, with those of Gise and Jerry, a Filipino leadership duo co-directing Ocean Hire, a labour-hire and subcontracting firm involved in migrant employment. Dave was interviewed face to face through an interpreter who was also present. As such, some of Dave's comments were in the third person pronoun (he) to refer to him. However, Dave's excerpts have been edited to use the first person (I). Although Gise and Jerry were interviewed together, they speak from the shared position of co-directing a single enterprise. This is important to clarify, as their insights, while delivered through two voices, represent a unified operational perspective rather than two distinct businesses.

Dave's narrative foregrounds disillusionment with regulatory frameworks and the perceived hypocrisy in immigration compliance. Gise and Jerry articulate internalised tensions, ethical ambivalence, and the dilemmas inherent in subcontracting hierarchies.

Together, these accounts reveal how small-scale, ethnic-minority-led firms function within a segmented labour ecosystem. They demonstrate that, rather than fitting neatly into exploiter or exploited categories, many migrant employers themselves experience precarity as structurally marginalised intermediaries. Their stories show the contradictions of policy design, enforcement biases, and economic pressures that produce grey areas of moral compromise. By highlighting their stories, this chapter aims to move beyond simplistic binaries and calls for reforms that empower ethical actors navigating a broken system. The themes presented are Decline of the Construction Industry; Legal compliance and Economic Survival; Corruption and Exploitation; Limiting Factors; and Recruitment.

Decline of the Construction Industry

Dave began with the observation that Aotearoa New Zealand's construction industry was collapsing. He reported that labour pricing per square metre had fallen from NZD 160 to NZD 85 within a year, attributing the downturn to rising interest rates, falling real estate development, consumer hesitation, and mortgage inaccessibility.

"The employees worry about- it is possibly that next year they will have no job because of the economy. As a matter of fact, I have signed contract for next year but I am not sure of work because, in terms of economy, the construction industry is going down....at least all of the people around me in this industry believe the construction industry is going to deteriorate. The factors which impact upon the construction industry are the real estate industries, the bank rate is high. The biggest problem is the economy in the worldwide, it is no good. There are a lot of people unemployed." (Dave)

"Last year I got paid about \$160 per square metres which means I have enough money to pay (the workers), but now I get quotations of \$120 per square metres, but the customer gives me only \$85 per square metres which means I do not have enough money to pay them. This is the problem." (Dave)

Dave attributed this to the heavy financial requirements that had to be paid to the government, a disproportionate burden especially for small businesses.

"I'm a small business owner. But now, I'm not making any money. Everything goes to GST, to accountant, to wages. The workers complain that they are not getting enough, but I am not getting anything. It's finished. The industry is finished." (Dave)

Gise and Jerry also expressed concerns about the delays in the government processing of the job check applications which led to labour hire companies losing contracts with construction companies. The smaller labour hire companies were often at the mercy of the larger construction companies who dictated the times for payments.

"When we apply for job check, the clients need to do these. By the time they process it, six months later, a lot could change with the clients. They might have lost a contract, which happened with one of our clients, Voodoo Yacht. They have the need, then all of a sudden, two big ships that they are supposed to do, cancel. So they don't give allowance to that." (Jerry)

“We have big clients who dictates the term, not us. See, to them, we are the beggars. They are the ones that give us the work, like the likes of Fulton Hogan, HEB, Dempsey Wood. The terms that they wanted us to comply is end of the following month. So we have to pay eight weeks wages before we get the first payment for the first four weeks.” (Gise)

Jerry’s reluctance to make workers redundant was overshadowed by his desire to survive the current economic climate. However, he was adamant that he undertook the requisite obligations.

“We just want to survive and wait until the economy picks up. We are trying to add more locals, but there are no jobs available because of recession.” (Jerry).

These narratives emphasized the structural asymmetries where risk was shunted downward onto migrant-led subcontractors who lacked buffers to withstand market shocks. When clients cancelled or postponed projects, small operators faced insolvency while developers escaped consequences. These failures became daily threats to survival.

Legal compliance and Economic Survival

A recurrent theme was the tension between legal compliance and economic survival. Market volatility impacted the ability of the labour hire companies to provide the guaranteed hours for the migrant construction workers and to pay the agreed wages. This provided avenues for exploitation by some labour hire companies while some were forced to finance wages out of their own pocket.

“There is exploitation happening, for example, previously the wages were \$27 now its \$29. So the contractor can discuss a lower wage for the workers, ‘I give you \$25 or \$20. If you don’t accept you go home. You accept, you have a job, otherwise you don’t have a job.’ A lot of (labour hire) companies don’t have enough jobs so they ask the employees to go and work turn by turn, one by one. So it’s some person working 2 days, some people working the other 2 days as long as you give them some jobs...The employees understand the current difficult situation. If they don’t understand, if they go to law court, they will win lawsuit that’s for sure, they will win. This is why bosses have more difficulty than employees at the moment. I have savings I can use to support my home finance so therefore I can afford to not collect wages from the company. If some company boss do not have savings, and they also

rely on the company for daily costs, if they cannot afford, there will be exploitation to pay lower than the contracted wages.” (Dave)

Making such decisions were demoralising and generated distrust among labour hire companies. Gise and Jerry said that they did not know what Immigration New Zealand’s role because they seemed to be the ones onboarding, advising, and supporting the migrant construction workers.

“When they arrive here, we pick them up from the airport. We do orientation. We comply with all the MBIE. They know all their rights, like employment rights, because we do orientation here. We also assist them with their budgeting... See, with our sales team, when they have a new client, they have an initial client interview wherein the requirements are stated there. Plus, for immigration, for job token or job check purposes, we have to ask the sales rep, we have to ask the client to put it in writing and prove to immigration that there was a need. So, they have to have that, plus a whole lot of other documents about the client's company. They don't question the client. We question the client. Because we want to make sure that the client is legit, the client has the capacity to pay us. So, that's our role. I don't know what immigration's role is.” (Gise)

While there was laxity in compliance checking around how labour hire companies applied the AEWVs, there was rigidity in how they met the conditions of the AEWVs with regard to their employees, that is, percentage of local workers, demands for payslips, full hours, and ongoing reporting. This collided with the unpredictability of construction work. Employers who sought to comply found themselves running at a loss or taking on debt. Those who deviated, faced fines or licence revocation. This structure incentivised corner-cutting and diminished the moral space for good-faith actors.

“We are undergoing our renewal for accreditation. If you see the list, there's a lot. Payslip, timesheets, etc. My only concern with our accreditation renewal is we don't meet the threshold. We are compliant with everything. The threshold is 35% (of workers should be local). Why would we hire this when we know that they wouldn't have work? This would bring us to bankruptcy or liquidation.” (Jerry)

Thus, legal frameworks, rather than fostering accountability, forced ethical employers into untenable positions.

Central to Dave's critique was the government's median wage requirement of NZD 29 per hour for AEWV holders. He argued that this threshold did not reflect the realities of tight profit margins and variable workflows in construction. Dave argued for some differentiation in tax liabilities between small to medium enterprises and large enterprises.

"In order to prevent exploitation from happening, Immigration New Zealand should reduce middle line wages from \$29. For carpenters, it's okay because carpenter is skilful job \$29-\$30 bucks, that's normal. But how about wages for kitchen hand? They are still paying \$29. This is too high, it has to go down. The employer and the employee can discuss wages that are acceptable to both of them between \$23 and \$29 in the middle somewhere. Also, the government should have a reduced tax liabilities for the small and median employers and companies or employers. Also, the threshold for visa should be higher because, at the moment, it's very easy to come here." (Dave)

Although Dave proposed a wage band of \$23.60 to \$27 per hour, community groups have cautioned that such levels fall short of urban living costs for migrant workers.

Gise and Jerry saw the wage floor as driving employers to inflate on-paper wages or rotate hours to satisfy bureaucratic conditions without genuine work continuity.

This tension pointed to flaws in the policies surrounding the AEWV. Wage thresholds anchored to median national earnings ignored sectoral variability, regional demand, and project-based business cycles. Rather than deterring underpayment, these rules incentivised manipulations that undermined trust and actual pay equity. However, union officials argue that the median wage threshold is not a nuanced wage band, but rather a requirement for specific sectors. Allowing employers to adjust wages periodically will disadvantage workers and further discriminate against them compared to their local counterparts. This was the reason for Australia passing the "Same Work-Same Pay" legislation.

Dave observed, however, that policymakers and union and government officials set thresholds without site visits or consultation with small operators. As such, they were unaware of the realities of the construction industry and the circumstances faced by the key stakeholders.

“Those people high up, officials in the Ministry of Labour, officials in the government, officials in the workers union should go down to the medium size company to understand the local situation instead of sitting in the office, enjoying aircon...Workers union has the responsibility to protect the interest of the employees, but who is going to protect the interest of the employers? Workers union are paid by tax payers. The employees are tax payers but I am also a tax payer, so workers union should think comprehensively not only from the perspective of the employees. Small to medium size employers are not big capitalists, they are common people. They also should be protected by the union officials.” (Dave)

Wage rules imposed a false binary – either comply or face financial ruin; manipulate paperwork or risk sanctions. Neither outcome served labour hire employers or the migrant construction workers, nor did it safeguard the integrity of small, community-minded businesses.

Corruption and Exploitation

The conversations with labour hire employers on the experiences of migrant construction workers showed that they recognized that workers had endured exploitation at the hands of their employers. However, the employers with whom we spoke rejected the assumption that all employers were exploiting their workers and cited their role in training, supporting, and offering opportunities to migrants, and even refraining from paying themselves so that they could pay the workers. The employers we spoke with valued the workers and treated them as valuable employees.

“The unions are protecting the workers, no one is protecting me. The workers feel exploited...we have a contract but we (labour hire employers) are still getting exploited. Last year, I employed a lot of low-skilled people. I have heard a lot of news that workers are being exploited but there are two main issues. The first one is the holiday pay, two is the annual bonus for the 13th month. Also, the middle wages is \$29, this is too high. Also, my customer has other suppliers, other business who are doing the job based on the rate of \$85. In this environment, the employer cannot make a lot of money. and in the meantime, the worker also the same thing. But the worker will not think from the perspective of the employer. The worker always believes the employer has exploited him. If the worker believes if the employer does not give him holiday pay, its exploitation. But the employer does not have enough money to pay for the holiday pay, but he has persisted to pay for the workers so that

the worker will not complain. For myself, for the period of six months, I do not collect any wages because I do not have enough money for myself. I have to look after the workers first.” (Dave)

“If I make him redundant, then why would we do it when they are the loyal people? We value loyalty, then money. This labour hire, although we are here for business, but money is not everything.” (Gise)

In spite of this, Dave was empathetic towards labour hire employers who have had to resort to exploitative practices.

“My company is paying the rate specified by the immigration service but I understand when another company does not have enough money to pay that (guaranteed) rate. This is very popular. Companies are paying, lowest \$18. I used to believe they are exploiting those workers but now because the economy business is hard, I have become empathetic for the employers. It’s very hard to do business so I understand their perspective.” (Dave)

This approach to understanding the actions of employers did not overlook the systemic harm that was occurring but recognized that it was being done without malice. Exploitation and non-reporting had emerged from structural practices rather than the intention to cause harm.

“I know that there are some companies that doesn't pay the guaranteed hours. We have to report them to immigration. You tell them you got to report them. Because if you don't pay, how would they (the workers) survive? Some of them (the workers), and this is what we've heard, some of them were asked to use their annual leave instead of guaranteed hours. Yesterday, I received a phone call. Robert, this is a Filipino in Christchurch, a carpenter, was made redundant. Apparently, there is no redundancy agreement in the employment contract, and he was made redundant in October. I said, if you're made redundant or if we terminated somebody, we have the obligation to report them to immigration within 10 days from the time we terminated them. The employer has the obligation to inform the immigration that they are terminated, they are made redundant. Robert said ‘up to you when you want to report to immigration’. Legally, he’s already an overstayer. So I just advised him, all you have to do, go to the nearest Citizen Advice Bureau, ask them if you could qualify for an MEPV, the Migrant Exploitation Protection Visa. Because that is the one that

would give him additional six months to work while looking for an accredited employer with job token.” (Gise)

The testimonies presented here suggested that responsibility could not be assigned solely to employers or migrants; the circumstances occurring within the construction industry had to take into account existing policy and what was legally allowed to happen.

However, some labour hire companies that were struggling sometimes employed strategies that might not have been legal.

“Most of these companies that don't have enough cash flow, they use the Inland Revenue's money by not paying the PAYE, not paying the GST, paying their employees first. But it's not their money. It's the IRD's money. So most companies went into receivership voluntarily. The other ones were closed by IRD. So they are using the IRD money to pay the workers because of the terms set by the client.” (Jerry)

Limiting Factors

Dave highlighted some of the issues that made it difficult for migrant workers. Although they were able to pay the required fee for an AEWV visa, this did not compensate for their lack of suitable skills in the construction industry including their limited English.

“For the purpose of preventing similar things happening again (exploitation), I believe that the IELTS requirement should be higher. In China, this is too difficult for them, so they will not apply anymore. At the moment, they believe if they come here, they can pick up money on the floor... It's very easy to come here. A lot of people in China, they are 50- or 60-years. They cannot speak English, they have no construction skills. As long as they pay the agency fees, they can come here. They have no construction skills. What can they do here? Nothing. A lot of cases like this.” (Dave)

For Jerry and Gise, there was a disparity in the work ethic of the migrant workers and the local workers, and they attempted to create a situation where both groups were able to benefit.

“We are Ocean Hire, we are noted to be supplying our clients with good quality workers. What we're trying to do is create a team where there's migrants and locals.

So, at least both of them would benefit from the team because the locals would hopefully get the work ethics of the migrants. And the migrants could pick up some of the English and other cultural things that they don't know about New Zealand.”
(Gise)

Dave believed that migrant construction workers with limited English on the AEWV visa used up a significant number of the country’s resources and was also a safety concern.

“A lot of migrant workers on working visa have occupied a lot of public resources of the local people...They go everywhere, they need interpreter. They go to hospital, they need translator; talking to school, needs translator. They all occupy government resources.” (Dave)

Recruitment

Under the Accredited Employer Workers Visa (AEWV), employers acted as gatekeepers for migrant entry, tasked with selecting candidates but selecting those who had the money to pay whether or not they had the requisite skill.

“The (recruiting) agency has put a lot of people here who have no skills. The agency in China only interested in money. They get the money, they send you here. They just want to make the money, that’s it. There should be someone who monitors the agencies but there’s nobody monitoring the agencies in China. I also have some contact with local New Zealand agencies. Most are okay but some of them are working in the grey area” (Dave)

Gise and Jerry were critical of the shadow economy of overseas recruitment agencies that charged exorbitant fees and oversold job promises, leaving migrant workers without the work needed to sustain themselves.

“We’ve seen workers arrive who thought they were going to work full-time in a big company. But actually, the job was casual, or it was through a subcontractor. The agency back home told them they would get permanent residency. That’s not true.”
(Gise)

Dave highlighted instances where labour hire employers exploited the probation clause and rotated workers through three-month trial periods, avoiding long-term wage commitments and evading legal protections.

“In the legal contract, there is a three months’ probation period in which the employer can fire people without an excuse. They want to make money for the agency fees, so they get people here and the agency and the employer share the fee. Then in two weeks or three weeks’ time before the end of three months’, they fire (the workers). These similar things happen every time.” (Dave)

Such malpractices thrived in a system where recruiters and probation loopholes operated beyond effective scrutiny, allowing corruption to flourish and damaging the credibility of genuine small operators.

Jerry described the anguish in choosing among hundreds of qualified applicants knowing that they might face unstable futures upon arrival.

“We receive hundreds of CVs from overseas. Many are good—experienced, hardworking. But we can only bring a few. And even then, we don’t know how long the work will last. So, we have to choose people we think can adapt, who can survive if things get tough. Sometimes it feels like playing God. You’re deciding who gets a chance and who doesn’t. And you know their lives depend on it. It’s a lot of pressure, and we don’t always get it right.” (Jerry)

The need to guarantee 40 hours at \$29 per hour further distorted the selection criteria used by employers. In practice, they screened for “safe” candidates—family ties, driver’s licences, basic English—rather than competence and ability, undermining equity and fairness.

“We sign contracts that say we will give them 40 hours, that we will pay \$29 an hour. And we want to do that. But what happens if the contractor cancels the job? What happens if the economy slows? We still have to pay, or we lose our accreditation. So, what do we do? We start making decisions not based on who is most qualified, but who is most ‘safe.’ Who has family here. Who can drive. Who speaks English. That’s not fair, but that’s the reality.” (Gise)

The expense of immigration lawyers, advertising, confounding bureaucratic systems and necessarily subjective selection processes compounded the burdens faced by labour hire companies.

Policy Recommendations from Employers' Perspective

Based on the lived experiences of the employers, a series of reforms that incorporate flexibility, fairness, and inclusion is proposed.

1. Lower Taxation for SMEs

Recognise the social value of migrant integration by offering differentiated tax schemes, GST relief, or credits for legal recruitment and training. This would offset compliance costs and incentivise small employers to remain in the formal economy.

2. Filtering Migrant Entry: Skills and English

Implement pre-arrival trade tests and functional English assessments to ensure arrivals align with job site requirements, reducing training burdens and safety risks.

3. Government Engagement with Employers

Establish multilingual, localised liaison officers and sector-specific support hubs to deliver proactive guidance, co-design policy, and offer mentorship.

4. Worker-Centred Reform

Develop migrant occupational centres providing legal aid, mental health services, and orientation, alongside anonymous reporting mechanisms and visa decoupling to reduce worker dependency on a single employer.

These recommendations underscore that sustainable reform must treat employers as partners, recognise the hidden costs of ethical compliance, and distribute accountability across the entire recruitment and (sub)contracting network.

Conclusion

Dave's pragmatic complaints about compliance burdens differed from Gise and Jerry's social accounts of structural abandonment. Yet all three reveal a system skewed against small, migrant-led enterprises which included policies that outsourced risk, selective enforcement that targeted the weakest operators, and inadequate support that transformed good intentions into moral exhaustion. However, there is an

underlying question here as to whether small to medium contractors should assess their financial capability to operate in industries such as construction¹⁵.

To remedy this crisis, reforms must espouse flexibility, fairness, and genuine partnership. Lower taxes, equitable wage bands, practical pre-arrival testing, dedicated employer liaisons, and worker-centred support systems are not luxuries, they are prerequisites for a humane, sustainable migrant labour system. If small, ethical employers are driven out, only silent exploiters and invisible malpractices will remain. Aotearoa New Zealand's commitment to migrant worker dignity involves supporting those labour hire employers who endeavour to do what is right.

¹⁵ Dennis Maga (First Union) suggests that there should be a test case conducted by INZ, such as a three-year cash flow analysis, for workers employed by the company. Otherwise, he said, they should not be allowed to employ migrant workers.

Chapter 7: Insights from Union Officials

Introduction

This chapter presents findings from in-depth interviews with two senior union leaders: Dennis Maga, General Secretary of First Union, and Mikee Santos, Coordinator of United Network of Migrants. Both have extensive on-the-ground experience supporting migrant construction workers in Aotearoa New Zealand. Their dual perspectives, rooted in industrial advocacy and community outreach, reveal systemic failures in recruitment, regulation, workplace safety, and government oversight. The following sections present five main themes - Contract Conditions; Labour Hire Exploitation; Exploitation by 'Pastoral Care' Operators; Inadequate Pre- and Post-Arrival Orientation; and Risks, Irregularities and Lack of Accountability.

Contract Conditions

There was considerable mention by the community workers and labour hire employers about the lack of work for migrant construction workers. In many instances, the workers arrived in Aotearoa New Zealand only to find that there were few jobs as a result of the decline in the construction industry in the country. The union officials also acknowledged this, noting that the situation had left many of the workers without sufficient money and finding ways to support themselves.

“At this time, 2018, because many migrant workers arrive already, and work is not yet ready, hundreds of migrant workers were benched, meaning they're in their houses waiting for the call, and some migrant workers have been benched for months already, two, three months long. And because they only get paid minimum, some not getting paid at all, they met immediate hardship, and they're starting to go fishing, going to the church to get some support.” (Mikee)

A tactic among some labour hire companies was contract substitution. Migrant workers signed one agreement offshore which promised median wages and stable conditions only to be coerced into a different contract upon arrival, with lower pay and more restrictive terms. For many of the construction workers, they were left with no option but to take on lesser conditions than those to which they had signed up.

“So the contract they sign from the Philippines is to meet the median wage. They have this Filipino overseas employment agency policies. But once they arrive in New Zealand, they will be signing another addendum or changes in the contract and they have no choice now. For example, they will be indebted to the company to pay for that immigration consultant, accommodation and instead of being paid a median wage of \$29.66 they will be paid now \$27 because that’s the sector agreement. So there will be a contract substitution and because you already arrive in the country what can you do? Before they leave the Philippines, they have some specific jobs and locations where they can work, but once they arrive, they become flexible, they are sent to work anywhere in New Zealand” (Dennis)

“I think there will be an anomaly in the contract they sign back home and the current contract they sign now. In the Philippines, I’ve seen a contract where the termination notice is only one month but once they arrive in New Zealand, they change it to three months so it’s impossible for you to jump to another employer. They prevent labour mobility which is actually a universal right. So that’s the first thing.” (Dennis)

This practice exploited the legal ambiguities and power imbalance created by pre-paid debts. Although employment law is meant to protect workers against unilateral contract changes, weak enforcement and the complaint-driven model leave many migrants unable or unwilling to challenge these substitutions (Stringer, Collins, & Michailova, 2022).

Both union officials criticised the threats that lay behind the unfair agreements that the workers were made to sign. The workers were faced with signing these restrictive and coercive practices or lose their entitlements.

“We’ve seen employment agreements that if you would like to resign, you have to provide a company 3 months notice. Where on earth would you actually find an employment agreement where you have to provide 3 months notice? And if you fail to do so you’re going to be losing your other entitlements because they’ll be charging you and they will be holding your annual leave and other remaining entitlements.” (Dennis)

Contract clauses requiring extended notice periods created financial leverage against workers. Although such agreements might not violate specific wage laws, they functioned as mechanisms of control. The absence of a standard, government-

regulated employment agreement for the construction sector created grey areas where rights and entitlements were manipulated (Haynes, 2009).

The problem was not only with the changed contract agreements without the informed consent of the workers but with the lack of attention to the safety information pertinent to the construction industry that the workers should have received especially coming from another country.

“The second thing is the amount of knowledge that labour hire companies have in terms of health and safety. I think we should not discount about the effect of health and safety of migrants because they’re coming from different countries in terms of experience - from the Philippines, China and Vietnam. Some of them have actually no understanding of such restrictions, like the health and safety procedures.” (Dennis)

This refusal of responsibility to ensure the safety of workers contributed to elevated injury rates among migrant workers, corroborated by studies showing disproportionate occupational hazards in migrant-heavy sectors (Lamm et al., 2017; Searle et al., 2015).

The shift from a 40-hour minimum to a 30-hour “guaranteed” threshold after COVID-19 had exacerbated income instability. Migrant construction workers arrived expecting full-time, 40-hour weeks but discovered that the 30 guaranteed hours they had been promised was insufficient to live on in Aotearoa considering the many debts and expenses they had to pay.

“That 30 hours is not liveable... It’s not enough to survive. Some workers left their home countries thinking they would be in a good position, but they arrive and are immediately disappointed. They thought that their workplace arrangement would be high standard, but a lot of them have been disappointed knowing that the cost of living was never explained to them” (Dennis)

The underemployment was especially detrimental given the migrants’ pre-migration debts and obligations to support families.

Labour Hire Exploitation

The union officials claimed that labour hire companies acted with impunity when it came to denying the rights of the migrant construction workers. The companies which

did not engage with unions were said to be more likely to breach their obligations and to engage in fraudulent and exploitative practices against the workers.

“When we initially investigated labour hire companies, my initial understanding was that (exploitation) was only being done by some labour hire companies, ‘cowboys’ in the industry. But the situation is actually across the board. The labour hire companies where unions have engagement are aware about their obligations, and engaging with unions also address those employment relation concerns quickly. But those labour hire companies where there’s no engaging with unions, we just realised that they’ve been doing this for a long time.” (Dennis)

“Yesterday I got a phone call from a migrant worker. The company had rung him and said to him ‘come and see me.’ So immediately that person stopped whatever he was doing and went to the office. The employer said ‘look, there’s no job for you now. Here’s the plane ticket. You have to fly tomorrow.’ The employer only had a meeting with him on the 15th where he received a plane ticket and asked to fly the next day. And this is what the employer said ‘you’ve been made redundant’. Now if you look at the exploitation definition and the migrant workers exploitation visa category, that arrangement doesn’t fit in. But that is exploitation because you use the imbalance of power to scare the worker. They were given a ticket and then that’s it. How do you defend yourself? And that person kept on ringing my phone even actually late night because he has nowhere to go. He couldn’t actually afford to get a lawyer so luckily he got a hold of me yesterday morning. I said to him ‘it’s good that you did not fly’, because the employer breached their obligation to engage with him in good faith. There must be a consultation process especially with the redundancy. But how many migrants can afford that kind of advice?” (Dennis)

Mikee disclosed information about labour hire companies that purchased labour at minimal wages but went on to charge contractors significantly higher rates.

“If I’m only paying this worker \$27 an hour, I will be charging this employer \$60 an hour... All that difference is profit. The labour hire company keeps the difference. That’s how they make money. The worker does the job, the client pays the invoice, and the company pockets the rest” (Mikee)

Kilgallon's media report¹⁶ also observed that labour hire companies brought in workers under the AEWV at \$27.66/hour then resold that labour at inflated rates, capturing profit at the expense of both workers and primary contractors.

Both union leaders also highlighted how liquidation was used by labour hire companies to avoid liability. These labour hire companies soon re-opened under new names without paying the monies owed to the workers. This insult was compounded by the fact that the now jobless workers were obligated to leave the country as per their visa restrictions.

"In New Zealand, you can change the company's name, not the person. That employer can create another company under his wife's name, or son's name, or daughter's name, and continue operating under a different name. It's called phoenixing. So if I'm a bad guy, I will create three, four companies, get tokens, bring migrant workers here. They work for eight weeks and that's it. Company went belly up, they will not get paid. Now they are moneyless and workless. No money is one thing. But if you have no job, and you cannot find job, Immigration New Zealand will ask you to leave New Zealand. Because you're here for a job." (Mikee)

This "phoenixing" tactic frustrates enforcement and allows persistent abuse (Anderson & Kenner, 2019). As stated by Roach (2010): "New Zealand law prohibits a person from being a director of a phoenix company within a certain period of being a director of a failed company, unless that director has been granted leave of the court. The prohibition is not calculated to prevent the reuse of a company or business name as such, simply the recycling of a company name by a director of the failed company". It was not uncommon then, for collapsed firms to reconstitute to avoid wage claims, leaving workers unpaid and unprotected.

Exploitation by 'Pastoral Care' Operators

Mikee reported on the extent of the financial exploitation carried out by people who claimed to be providing pastoral care services and support to the migrant construction workers. The low contracted 30 hours already made it difficult for workers to survive and cover their living expenses, and they had to resort to relying on food banks. Their situation was worsened by persons who passed themselves off as pastoral care

¹⁶ <https://www.stuff.co.nz/nz-news/350236262/riches-rags-inside-story-exploitation-scandal> April 14, 2024

operators. In reality, these operators were exploiting the workers with undisclosed and exorbitant costs for providing what they termed pastoral care services.

“Many migrant workers do get paid, but because they're only getting paid 30 hours a week, it's not enough for them to have a decent level of living. They go to churches to look for food or stick with their compatriots. And those who are getting paid, they're only getting \$535 after tax, more or less. But a big amount of this, \$300 of this will be going to accommodation already. They pay the pastoral care. It's a big amount because it's only a room. You're paying someone to take care of you, the pastoral care operator. The pastoral care operators plays a significant role, major key players in the exploitation of these migrants.” (Mikee)

“What (pastoral care operators) will do is, they will get a house and house the migrant workers and then just invoice the company. So the migrant workers are paying a subcontractor for their houses because they don't have yet the right to sign. If they want to get their own house, they cannot because they don't have credit history and maybe there's some challenges to sign the contract. The two key players who exploit migrant workers are the cowboys of the industry and the pastoral care operators. This is two of the two key players that wreaked havoc in the migrant communities at that time, making a lot of money from these vulnerable migrant workers. I want to get on to the cowboys in the industry, but I want to finish up with the pastoral care people” (Mikee)

Essential services were being monetised to extract profit and enforce dependency. It was common practice for the pastoral care operators to charge excessive rent and service fees, and to automatically debit these fees from the migrant construction workers' pay.

“This is what they offer. They can help pick up the migrant worker from the airport, bring them to their accommodation, explain to them where there's a church, where there's a Pak n' Sav, assist them how to get a bank account, how to get a SIM card, tour them around, how to go, because they're new to the place. Someone has to tour them around, and you don't expect the CEO of the company to do that because he's busy. Especially if he's dealing with a lot of migrants, 50, 100s and 100s. When they arrive here, if they're the business owner, it does make sense that they subcontract the pastoral care operations for their migrant workers. One thing they haven't

anticipated is the cost of this one. They're passing it on to the migrant workers. The pastoral care managers are charging premiums. So a room will cost \$300, \$350. For example, if you find a room right now, the room is \$150. So what's become of the \$200? It's because of the other services provided by this pastoral care. I'm saying it's not required.” (Mikee)

“The number one problem is most of the rooms are substandard in size. I've seen them by myself. I went there with the media. Substandard, substandard, substandard.” (Mikee)

Mikee explained that, sometimes, the labour hire employer had no control over the person who managed the pastoral care.

“Employers don't want to handle and manage accommodation of migrant workers. When you bring migrant workers here, you have an obligation on how you're going to house them. But many employers said that takes a lot of manpower and time. So they subcontract the pastoral care operations to take care of the migrant workers. And this, at the start of 2018, became a mushroom industry, a cottage industry that many pastoral care operators just popped out and made a lot of money out of this.” (Mikee)

“The administrator of that pastoral care is an absolute bully, which happens all the time. The employer has no regulation with that bully because he's not directly involved with the employer.” (Mikee)

Pastoral care “packages” were monetised rather than provided as support. This transactional model replaced genuine integration support with profit-driven services, reinforcing the inadequacy of the information shared with the workers. Additionally, it was difficult for the workers to get out of the contracts they had signed with the pastoral care operators.

“It's very hard. Ninety-nine percent of the time, they have to pay when they breach the contract because these pastoral care operators, they have a bonding contract of six months, some are one year. And when you breach it, you have to pay a breach fee.” (Mikee)

These practices drained migrant workers' earnings, perpetuating debt cycles and undermining their financial stability. Despite this, migrant construction workers remained obligated to sending remittances back to their home country thus intensifying their poor economic situation.

"They feel ashamed if they can't send money back home. Some of them have wives, children, parents depending on them. And if they don't send money, the family thinks they're not trying hard enough. But the truth is, they're drowning in debt" (Dennis)

Remittance obligations compounded migrants' vulnerability, creating emotional and financial stress that employers and state systems exploited (Humphries et al., 2009).

Inadequate Pre- and Post-Arrival Orientation

The union officials had observed that workers often left their home country with little accurate information about their rights, employment agreement, living costs, or the local labour market. This created a situation where the workers were vulnerable to exploitation and abuse by immigration advisors, employers and the government itself.

"There are many concerns that we've raised with the government. For example, the information they receive from the country of origin particularly Philippines, China, Vietnam, that we would like to ensure is that, one, the workers understand the language. Two, health and safety. Three, their rights and welfare especially the entitlements. Once they arrive in the country, there is no systematic post arrival orientation for them. A lot of labour hire companies' practices are not well checked by the government. Even the guaranteed hours of 30 hours is not liveable. It's not actually enough for them. This is something that migrant workers don't understand before leaving the country and some of them left their jobs because they thought that New Zealand is a nice country to work. They thought that their workplace arrangement will be of a high standard, they will be in a good place. But in our experience, a lot of them have been disappointed knowing that the cost of living was never explained to them, the cost of paying rent was never explained to them, and the public transport is not the same compared to other countries they've been to." (Dennis)

Gaviola (2020) argued that pre-departure orientation—community-based and language-specific—is critical to informed consent and worker empowerment.

Migrant workers received no government-mandated, multi-stage orientation or access to unions. Without the requisite information and access to knowledge, the migrant construction workers were left to the mercy of those who abused them for profit.

“We’ve been saying to the New Zealand government that the country of origin is doing their part, but the information they provide will always be limited. They’re not familiar with New Zealand law. And that’s a reason why the government must introduce the post-arrival seminar or orientation to any migrants regardless of their job. This is actually to explain the health and safety, New Zealand employment law, even Te Tiriti, everything, once they arrive in the country. And it must be a requirement. The problem is that employers are arguing that it’s optional but that’s how you control your worker.” (Dennis)

“We also advise our members to join the union so they have the resources of a lawyer for later on when they're seeking grievance or a more robust employment support, legal support.” (Mikee)

The lack of proper health and safety induction placed workers at higher risk of injury.

“They’re expected to follow safety procedures they’ve never heard of. And it’s all in English. In the absence of proper induction, some migrant workers read English signage, but they are unfamiliar with it and struggle to report hazards. That’s not safe. That’s dangerous.” (Dennis)

Lamm et al. (2017) documented that migrant construction workers faced disproportionately high injury rates due to inadequate culturally appropriate safety training.

Risks, Irregularities and Lack of Accountability

Immigration policy did not appear to distinguish among the various employment sectors and the different ways that migration exploitation might occur in these sectors. This made it easy for construction companies and labour hire employers to avoid engagement with requirements that they perceived did not apply to them.

“Research about migrant exploitation in hospitality and restaurants would not be the same in healthcare and would not be the same in construction. So when you introduce immigration policies, some employers can circumvent that because they

know that the specifics of immigration policies would not fit into a specific category and that's what's been happening for a long time.” (Dennis)

Without the necessary oversight on the employment practices and their applicability to the particular sector, labour hire companies were not subjected to appropriate checks and regulations and this enabled their continued exploitation of migrant workers. Migrant workers, uninformed of their rights and working conditions, did not know how or where to raise concerns.

“And of course migrants are scared to challenge this because they have no idea how to raise these concerns against these employers. The labour hiring regulations in this country is unregulated. I don't believe there is a systematic analysis or research that has been done to check the employment practices of labour hiring companies. What I've seen in many migrant workers' research is that they generalise the exploitation in hospitality, construction, dairy but what we've been saying to the government is 'you are producing policies, but your policies are too general. It's not fit for purpose for every sector'.” (Dennis)

Visa-dependency constrained the mobility of the workers and increased the potential for abuse by employers.

“Your visa is your entitlement to stay here. If you don't have work, you don't have a visa, then you have to go. What is the accountability that the employers have? Good employers have a decent amount of actual work ready for migrant workers.” (Mikee)

Another major concern raised by the union officials was the lack of care for the mental well-being of the workers. The construction industry has a high risk of physical injury, and this, coupled with the emotional toll of being a migrant construction worker faced with the problems of underemployment, no employment, high debts, undisclosed fees, and visa precarity, held grave concern for the lives of the workers.

“I'm really concerned about two things, one is actually death and injury, the second one is mental health. Because of mental health, there are many suicides in the construction industry.” (Dennis)

Amoadu et al. (2023) argued that a psychosocial safety climate “has a direct effect on health, safety and performance outcomes because it moderates the impact of excessive job demands on workers' health and safety”.

The union officials intimated that the government was aware of the labour exploitation of migrant workers and were complicit in it while abdicating any responsibility. The government gave out the AEWV tokens often without rigorous checks on the availability of real jobs, the suitability of the accreditation scheme, or the fraudulent use of the tokens by labour hire companies.

“The (government) is not the perpetrator of the scam, but they’re part of it. They’re the ones giving the tokens. They opened the door, handed out the passes, and now pretend they don’t know what’s happening behind it.” (Mikee)

“There's so many holes in the accreditation programme. Tokens started post-COVID. Tokens are given to employers. I can say post-COVID, maybe September 2022, the moment we opened our borders. These tokens are given to employers who are accredited and who can bring in migrant workers here. No one saw it. Well, we saw it coming. When you give an employer, any employer, 50 slots, you have 50 slots to bring in migrant workers here. You can either genuinely hire 50 migrant workers or sell those 50 tokens for \$30,000 each. It's the slots. It's like literally a ticket. It's a ticket that your accreditation is approved, and this is how much migrant workers you can bring in here. Employers do not pay for the tokens. They do have to pay fees and levies to be accredited. Some employers get 10. I think it's the size of the business and the investment.” (Mikee)

This inadequate scrutiny of accreditation enabled fraudulent employers to exploit the system. The fact that employment was not a criminal matter seemed to mitigate the desire of labour hire companies to address or reduce their exploitative practices. The lack of punitive measures meant to dissuade compromised labour hire companies allowed them to operate with impunity.

“Unfortunately, employment is a civil case. It’s not a criminal case. I think that’s the reason why Camilla Belich of the Labour Party introduced a private bill on wage theft to criminalise the migrant exploitation. But again, when you say exploitation, we’re only referring to breach of minimum entitlements. But breach of employment agreement is not going to be part of it. It’s still a concern. It’s still a problem. I think one thing that we would like to see is that if labour hiring companies ever have bad employment practices, they should not be allowed to employ foreign workers. They should not be allowed to operate.” (Dennis)

“Labour inspectors will only investigate if there is a complaint. There is no audit that is regularly conducted to check the employment practices. The worst is that it’s not only employment practices but even health and safety practices.” (Dennis)

Regulating the industry relied on accountability and investigating reports of exploitation. Dennis believed that there were many more illegal and exploitation practices taking place which had not been exposed, and recommended that there should be a team dedicated to unearthing and addressing these practices.

“I think labour inspectors can form a team exclusive for labour hire companies. If I’m the one running the labour inspection office, what I would do is form a team, and the first thing I would be asking is to check all the employment agreements that they signed back home against the employment agreements that the employers are currently implementing. I tell you what, just by doing that exercise, the government will discover a lot of anomalies because one thing we have found out is that they sign an employment agreement before they leave the country. But when they arrive in New Zealand, there is a contract substitution and labour hire companies get away with that.” (Dennis)

While the government benefited from migrant workers’ labour, it simultaneously avoided any social investment in their welfare as they knew that they were unlikely to face any challenges from the workers and thus able to continue the cycle of abuse. This approach aligned with Davies’ (2023) critique of “institutionalised disposability” where migrants were valued solely for temporary labour.

“The reason why they love migrant workers is because they’re cheap and docile and they can easily ask them to move anywhere in the country. And migrants feel that they don’t have the ability to question and challenge them.” (Dennis)

Recommendations

The union officials, Dennis and Mikee, argued that it was crucial that there are policies and processes in place to stop the further exploitation of migrant construction workers. They believed that the entire system of recruitment, accreditation, pre and post arrival information, and contract agreements needed to be addressed in order to dismantle the systemic exploitation of migrant workers in the construction industry. They were aware of the immense power held by the government, through Immigration New Zealand, to impact the lives of these workers.

“Immigration New Zealand is almost like a god. If they get it wrong, thousands of migrant workers will suffer tremendously. If they got the policy wrong, the effect on the ground is a disaster. It's apocalyptic. People's lives will be destroyed. If they drop the ball on checking accreditation, bad employers will sell the tickets, the tokens, to offshore migrant workers. And when they come here, there's no work. They spend their lives, earnings, savings to come here, and there's no work. That's how severe the policy-making of Immigration New Zealand is. One bad step, and the consequences is massive if they get it wrong.” (Mikee)

These recommendations are drawn from the observations of Dennis and Mikee and the existing literature.

1. Dedicated Regulatory Authority for Labour Hire

A government-controlled inspectorate with audit powers, separate from Immigration NZ or MBIE, to ensure agreed employment standards.

2. Standardised Employment Contracts

A mandatory, government-issued template specifying wage floors, hours, notice periods, and permitted deductions.

3. Sector-Wide Orientation Programs

Pre-departure training in workers' languages and mandatory on-arrival induction and orientation, delivered by accredited community partners, not profit-driven pastoral care providers.

4. Decoupling Visas from Single Employers

Allow migrants to change employers without penalty to escape exploitation, and introduce sector-wide / open work visas to reduce coercive dependency.

5. Public Registry of Employers and Labour Hire Companies

A transparent database listing accredited entities, violations, fines, and de-registrations, enabling community and media oversight.

6. Mandatory Union Access

Unions and migrant advocacy groups should have guaranteed rights to enter worksites, conduct welfare checks, and educate workers.

7. Government-Backed Legal Aid and Mental Health Services

Rapid, free, multilingual legal support for employment disputes and culturally competent mental health care integrated into workplace safety frameworks.

8. Regulation of Migrant-Only Accommodation and Transport

Cap fees, quality-check housing, enforce equitable transport arrangements, and require housing audits for employers to maintain accreditation.

9. Cross-Agency Oversight Body

Establish a multi-stakeholder panel—including immigration, labour, health, housing, unions, and migrant representatives—to co-govern migrant labour policy and enforcement.

These recommendations move beyond being incremental, stop-gap fixes and suggest a transformative model of migrant labour governance rooted in human rights, shared accountability, and worker empowerment.

Conclusion

The testimonies of Dennis and Mikee revealed that migrant construction workers in Aotearoa New Zealand were not victims of isolated misconduct, but of a carefully structured system that externalised exploitation, commodified labour, transferred responsibility and ignored extortion. From contract substitution and labour hire profiteering to debt entrapment and mental health crises, every aspect of the migration system seemed designed to prioritise employer flexibility and state convenience at the expense of migrant worker wellbeing. Government agencies, far from being benevolent actors, appeared to be complicit in shielding perpetrators operating in grey areas and disclaiming responsibility.

A policy, not only of enforcement, transparency and economic growth but of co-governance, genuine solidarity and shared dignity is essential if the human cost of Aotearoa New Zealand's development is not continually borne by migrant workers.

Chapter 8: Insights from Construction Workers

Introduction

As one of the core chapters of this report, Chapter 8 presents the analysis of 19 migrant construction workers' testimonies in Aotearoa New Zealand. These narratives were collected through six in-person interviews: four focus groups — two groups of four, one group of six, and one group of three participants, and two individual interviews. The participants comprised fifteen Filipino workers, one Chinese worker, and three Latin American workers. Their diverse backgrounds shed light on the complexities of migration under Aotearoa New Zealand's visa-dependent labour regimes.

This chapter explores six interrelated themes: Contract Agreements and Irregularities; Labour Hire Companies' Exploitation and Evasion; Government and agency responsibilities; Wellbeing; Recruitment debt; and Post Arrival Living Expenses.

Direct quotations from participants amplify their voices, while references to key academic works situate the findings within discussions of precarious migration and postcolonial labour hierarchies.

Table 5. Summary of Interview Participants.

Interview No.	Type of Interview	Number of Participants	Nationalities
1	Focus group	4	Philippines
2	Focus group	4	Philippines
3	Focus group	6	Philippines
4	Individual	1	Philippines
5	Individual	1	China
6	Focus group	3	Latin America
Total	6	19	4

Contract Agreements and Irregularities

Participants across all interviews described inflated recruitment promises in their home countries—guaranteed wages, full-time hours, safe housing, and pathways to residency. These verbal assurances rarely translated into signed documents, leaving workers with little legal recourse when the reality did not reflect the promise.

“I work sometimes 1 week, sometimes 2 weeks but now in the recession which came to New Zealand, it’s totally whole month no work, sometimes 2 days 3 days, just like that.” (Filipino worker)

Workers reported being shown a contract overseas, often stipulating NZ\$27.76 per hour, only to discover upon arrival that their visa tied them to a different wage, usually around NZ\$25.50 per hour. No new contract was provided, and the migrant workers had no choice but to accept the visa terms.

“On our visa it tells there that the contract that we sign has a indicator that we’re gonna have a median wage of \$27.76 per hour but I think the immigration allowed this company to make it lower so I just got \$25.50 when I got here.” (Filipino worker)

The workers said they were also not informed about and therefore unprepared for the additional payments costs such as insurance, car, and taxes that they had to cover.

“We’re not prepared. Our agencies they just tell us go there (to New Zealand), you’ll earn much more money there than here. They don’t say about the taxes, they don’t say about all the bills, rent, car. You need to get your own car to do your job.” (Filipino worker)

Language barriers made it nearly impossible for qualified workers to communicate despite the skills that they had. In contrast, those that had good English skills did not possess the necessary skills for the construction industry.

“You can apply your skill as long as you skilled already in the Philippines. I have workers in the Philippines, one is an accountant, one works at a call centre, and in IT. But because they get a low salary (in the Philippines), when they come here, they are carpenters. But the one person who cannot talk very well in English but can do a good job, they are really carpenters.” (Filipino worker)

Despite contracts assuring 30–40 hours per week of paid employment, many migrant construction workers received inconsistent or minimal hours, often performing unskilled tasks.

Many workers arrived to Aotearoa New Zealand believing that they would be directly employed by construction firms. In reality, visas were often tied to labour hire companies which subcontracted labour to multiple third-party sites. When the

primary agency or contractor went into liquidation, migrants found themselves jobless, unpaid, and neglected.

“The recruitment company give me the visa. The (labour hire) company enter in liquidation in February this year – Buildhub company. They enter liquidation and not pay 5 weeks, not pay vacation, not pay other things. Now I have exploitation visa for one year. My visa expire in March 2025. I find out that the company went into liquidation on Friday 11 of February. There is no pay in the day, no pay 1’ o clock, 2’ o clock, 3’ o clock, no pay, no pay. The company send email ‘the company is closed’. On February 16 2024, they were sending us like an email telling us that the company will be in liquidation, like winding-up but they didn’t say anything before.” (Latin American worker)

Although legally employed full-time, workers functioned as casuals with no sick leave, no formal rosters, and subjected to the employer’s discretion. The façade of compliance masked profound insecurity. These experiences revealed that exploitation arose, not from isolated bad faith companies, but from a systemic design that privileged flexibility and profit over the dignity of the workers. Without formal termination letters, visas remained sponsored by defunct employers, trapping workers in legal limbo and preventing them from seeking alternative sponsorship.

Waiting for weeks or months without work imposed psychological distress. Despite sending letters to Immigration New Zealand and requesting an investigation into what was happening, Immigration New Zealand responded that there was little that could be done for the workers as the company was now under different management.

“All the people who works for Buildhub made some complaints, face this problem. We sent some letters to immigration for exploitation situations and they say they going to do some investigation. But the owners of the company change so immigration says ‘currently, they are not the owners, so they have no problems with immigration, they have no problems with government’.” (Filipino worker)

Recruitment information promised to the migrant construction workers included guaranteed employment (30 hours/week). However, this was not enough for the workers to sustain themselves particularly for new arrivals who had mandatory costs to cover. In any case, the workers were never certain to be employed on a continuous

weekly basis. In reality, workers faced weeks of unpaid and unpredictable hours of work shifts.

“We need to follow the contract they give us. For me, the 30 hours guaranteed is not enough living here. Maybe I think it should be 40 hours because you need to pay your car, the rent, the electricity bill especially in your starting year. You’re struggling with the expenses. We need at least continuous work because sometimes one week you don’t have work, then one week again work. It’s not continuous. If the client stop the work, you’ll have no work also.” (Filipino worker)

Although the workers were glad to be in Aotearoa New Zealand where they believed there were greater opportunities for them and their families, many were overqualified for the jobs they had been given. Trained supervisors and project managers were frequently reassigned to unskilled labour roles, erasing years of expertise and likely disrupting career trajectories.

“This visa is very good for me but the change to this country is more important for me, my wife, my children. This is a very good opportunity. But I have 15 yrs experience in construction in my country. I am project manager, site manager and supervisor but the position for my visa is practically a labourer in New Zealand.” (Latin American worker)

Labour Hire Companies’ Exploitation and Evasion

The migrant construction workers had come to know that the immigration advisors often owned or held stakes in recruitment agencies and labour hire companies, thus having control over both their visas and employment. In addition, the workers were charged fees for services that were not detailed or disclosed.

“I know what was happening. Buildhub is also connected with Synergy immigration advisor company. Synergy advisor, the owner of this company is Cristian Montofre. You have to pay money to the advisor because you want New Zealand to approve your visa. You have to pay Synergy to do your paper to get the visa because Buildhub has the token. That is the link between Buildhub and Synergy...Synergy is the same owner as Buildhub so they already have the token, they just have to upload the documents and submit it. The thing is, we have to pay extra money. I pay \$12,000 New Zealand because of the services of the lawyers. The advisor said that \$12,000 was for the lawyer’s services.” (Filipino worker)

Money for visa processing and legal advice flowed directly into advisors' personal accounts without any itemised receipts or contract copies provided to the workers.

The workers believed that the unscrupulous actions of some labour hire employers worked were aided by similarly corrupt immigration officials.

“Julie Pearl (de Santos - labour hire employer) knows someone inside. So she get easily the accreditation and the job tokens so she can hire migrants. She can easily pass all the requirements of the immigration because there is a person inside that can approve her easily. I mean she can go under the table with her money to the person.”
(Filipino worker)

The workers had been threatened by an employer who had had charges filed against her. Prior to this, the employer had threatened to cancel their visas if they spoke out against her. She had already refused to extend the visas of those who had made complaints about her. This effectively silenced the other workers who were fearful that they would be deported to the Philippines still owing debts.

“Julie Pearl never gave them (migrant construction workers) the opportunity for the longer visa because they were complaining. We decided to just stay quiet for that time because she would threaten us to cancel our visas. If we talk about her, she threatened to cancel our visas and we would go back to the Philippines. All of our money would go to waste. The people who returned to the Philippines, they still owe the money they gave to her.” (Filipino worker)

Silence became survival and participants internalised structural failures as personal inadequacy, deepening emotional trauma. Deception extended beyond initial misrepresentation to a continual cycle of dependency, silence, and vulnerability.

Extortive recruitment fees ranging from NZD 11,000 to NZD 25,000 left many migrants heavily indebted before arrival. Payment often involved loans from finance companies. Even though they were unemployed, the bills still had to be paid.

“We came here in New Zealand because in my country I find some agency that was owned by Julie Pearl. At first I thought that it is legitimate. I tried to apply there because they need some workers here in New Zealand. So I talked to her and she told me that she needs some employees here. And at first I was in doubt because I have no experience. Then she said ‘You have no experience in construction or no experience’?”

Then she said that it's alright. You can apply here. Just give me your CV and the rest is up to her. So I trust her because I see some Filipinos go here because of her. So I thought she is legit. Then when I came here, at first we stay in her house. We have more than 20 people staying in the house, 20 or 30 people. It's like a 2 storey house. Around 10 bedrooms. We thought we came here to start the work. The first week we have no work. For us, she offer the two of us, because I have my wife, she offer my wife to work as a teacher here. She told me that I can work also here in traffic control. I have no experience with that. She said that it's okay. We pay 700 thousand pesos to Julie. It's like 21 thousand dollars (NZ). I pay it through cash instalments in the Philippines. First month of staying, we have no work. We asked, 'what's the problem? We have no work until now'. So she told us that some company stand down. Just wait. After the stand down, she can send us to the other company. Julie is also living in the house at the time. She also provides some food for us there. It's difficult because we have no work, we have no money. Luckily, we have pocket money. So that's the only way to survive.” (Filipino worker)

“Basically five of us is not working since March because the company is not allowed to operate. We got no visa because her accreditation was cancelled. I believe it's cancelled by the immigration. We are still searching for work.” (Filipino worker)

Government and agency responsibilities

The migrant construction workers had imagined Aotearoa New Zealand as a rights-respecting, rules-based society. As such, broken agreements and lack of accountability and redress eroded trust in institutional fairness.

“I think New Zealand immigration have to put their eyes in the process of how they are checking their accredited employers because I think currently, some, not all, accredited employers are selling some process, dreams or ideas about New Zealand overseas. The Latin people who are looking for the best option apply. They can buy those ideas, those dreams because our people trust New Zealand. But when we came here, we saw sadly, unfortunately that not everything is real. When we see the reality, the government says you have to try to find a way to be here legally or you have to leave. But nothing happened against the bad people or bad companies who are doing those bad practice.” (Latin American worker)

“For me, the people here are equal. Once you here, everyone paying taxes. No one is above the law, no one. Everyone is equal. That’s why, for me, I want to make sure that the New Zealand government look after, not only the Filipino workers, everyone. Just look after all the migrant workers because the residents, the citizens here, they get support from the government. Why don’t we do that one for the migrant workers?” (Filipino worker)

Institutional loopholes such as advisors resigning before accreditation revocation allowed bad actors to evade accountability. Complaints to Immigration New Zealand were often dismissed on technical grounds. Attempts to escalate breaches through Ministry of Business, Innovation and Employment (MBIE) or Immigration New Zealand resulted either in referrals back to unresponsive employers or no action taken by the government institutions. Several workers had to rely on early-morning WhatsApp messages to learn of their shifts or if they were still employed. Those who held full-time AEWVs often worked under ten hours weekly, with no compensation during idle periods and no ability to accept other jobs.

Participants were aware of shell firms, company name changes, subcontracting, and cross-registered directors which enabled dispersal of liability. When one entity collapsed under scrutiny, another simply took its place.

“I think I heard they (construction company) stopped operating now because they liquidated but they make again a new company under another name. They did this before almost 4 times. They changed the company name because they do this one every year. That’s why they changed the name, to get again the accredited company.” (Filipino worker)

“We had the support of Norma. She’s a really kind person, she really help us a lot. She got us an interview with a journalist from the New Zealand Herald and we explain all the problems that happened, and they made a publication explaining what happened. And as a result, Immigration answered. But finally Immigration New Zealand says the company suddenly went into liquidation, but it’s not their fault, so the employees have to find another job.” (Latin American worker)

Wellbeing

Many migrant construction workers had to deal with agents and labour hire employers who cared little for their safety or wellbeing. Working under conditions of illness was

debilitating for the physical and mental health of the workers yet they were threatened with unemployment if they were unable to work.

“One day I tried to ring up my agent – because he is the one responsible for sick leave - I was already on the site and then I get diarrhoea. I tried to ring up my supervisor to say that I’m not fit to work because I have diarrhoea this morning, I’ve been on toilet three times a day. That’s why my body feel shaky. He said ‘oh yeah you can go home’. After that I ring up my employer and my employer told me just ring up the HR because that is his department. I ring up my HR and I tell him all about all my illness. He said ‘no, toilet is around there’. And then that’s it, he turn off his phone. Then I ring up again and he said ‘don’t be so fucking stupid. If you want to change your situation you go to work when you are not fit’. Like now my body is shaking because I already got diarrhoea, that’s because of the hydration. I said ‘if you want I go straight away to the doctor to get the medical certificate.’ Next minute, he turn off his phone.” (Filipino worker)

The female migrant construction worker reported a different set of problems from the men. She faced sexual harassment and assault with very little support from employers to address the situation.

“I think, for women, it’s totally different because we are like in a men environment. I usually work with Filipinos and Indians but it’s quite hard to go there every day because they always have a comment to you, like kind of violence against me - comment about my body, comment if I have boyfriend, comment if I have children. Comment why I don’t have children. Or why I’m fat, if I am pregnant, or they want to go to bed with me. One day I have to kick out one of the guys on the sites because he was asking me to sleep with him and I was like ‘no I don’t want to, no I don’t want to, please stop, please stop’. It was like I tried to be nice to him, tell him no, no. It was a point that I just go to the manager. In the majority of the cases, it were Filipinos because Kiwis always nice with me like Māori, Pasifikans, they really lovely people with me. But between like Indians and Filipinos, it’s like ‘why do you do that kind of comments to me, you don’t have to’. Even a friend of mine, we were working for the same company, she’s a woman, she’s from Argentina, and a guy tried like touching her ass even sending her messages on Facebook ‘I love you blah blah blah’ ‘why you are not being with me’? But in terms of the environment, it was quite heavy because when guys are by themselves, it’s okay, but when they are like in a group, they think

that they have the power to come and tell me this kind of comments or like make jokes about me. I complained to Buildhub when that happened and one of them was like 'why don't you tell them that you're a lesbian, that you don't like guys?' I was like 'excuse me, I don't know have to tell anyone that I am a lesbian, even if I am you know?' (Latin American worker)

There was prolonged uncertainty, and waiting on calls from the company. This left the workers anxious and unsettled.

"When I got the news that I had to not come into work, I feel very, very sad for me, shocking, very sad and depressed." (Filipino worker)

The workers were not the only ones affected. Their families back home also felt the impact of what was happening. The workers, however, were hesitant to disclose their experiences as they knew the anxiety it could cause for the family at home.

"They (my family) don't have any idea what was happening and we just told them we are now jobless so they ask me if I want to go back home or stay here. And then I said we're gonna see what's happening for the next day. They feel sad and stressed about it because we are sending our money back to the Philippines to support them." (Filipino worker)

The situation caused many to consider returning home rather than having their family send them financial support.

"Sometimes I call my wife that we need to decide...Should I go home or should I stay?" (Filipino worker)

"It was really frustrating. I cannot imagine (for the others), they have family, they have children's, they have wives. I am just being by myself and I don't have to be worry about someone else. I just talk with my parents. My parents say 'okay we can do this for you, we can do that'. Of course they are always being there for me but I feel like I am already an adult so I don't want that they help, but in this situations, what else I can do?" (Latin American worker)

There were feelings of profound sadness and disappointment as the workers internalised the obligation to live up to family expectations or to provide for family back home given that this was primarily the reason that they sought to become migrant

construction workers in Aotearoa New Zealand. This, along with being new to the country, intensified their distress.

“Because you know that’s Christmas season, we’re Christian. We think Christmas season is for giving and that time we are not giving to our family back in the Philippines. We need to get some help. So very sad, we are very sad and then we are all new here. We’re just adjusting to the weather and the living here. The expenses so high and that’s why it’s very sad news that time, you are in shock. We don’t have savings because we are all new here in New Zealand. We are struggling too much that time. We are affected emotionally not only the physical.” (Filipino worker)

The migrant construction workers experienced isolation, shame, and failure in a number of ways. Their mental health was affected as many faced sleepless nights and a loss of control. Doctors seemed unable to understand the source of their distress or the workers seemed unable to express their mental state.

“Sometimes you did not get your sleep at night and then because you’re feeling headache, and you’re not feeling well, you’re not fit to work. That’s why last time I go to the doctor when I did not get sleep. I just try to tell the doctor.” (Filipino worker).

“I can’t control my thoughts right now. I can’t control my thoughts. I don’t know what exactly will happen to change my state of mind. Loneliness is a kind of mental stat about me. I don’t have any anticipation of what can occur to change or alter such a loneliness condition.” (Chinese worker)

Recruitment debt

The stories of migrant construction workers in Aotearoa New Zealand began long before they arrived in Tāmaki Makaurau. They began with promises of opportunity financed by burdensome debts that prevented their escape from exploitation. The financial and psychological dimensions of that debt, and the overwhelming pre-migration costs, ongoing living expenses, and remittance obligations combined with visa dependency to create a system of economic entrapment. Recruitment debt was not incidental to the Accredited Employer Work Vis (AEWV) experience— it was the currency of control.

When migrant construction workers spoke of their journey to Aotearoa New Zealand, the first word they often used was “debt.” This debt, accrued before departure, coerced migrants to endure hardship and remain silent regarding their exploitation once they

were in the country. Financial burdens intensified the pressure to accept any subsequent working conditions, no matter how exploitative.

“I paid \$410,000 pesos so that's around \$13,000, \$14,000 New Zealand. I paid more because it was their AEWV visa. Five-year visa.” (Filipino worker)

“I had to pay for all the medical check-ups and the visa. I had to pay for all the paperwork in English. I spent another 17,000 RMB. So I spent more than 70,000 RMB from the time I signed up to come to New Zealand. Basically, everything was paid by myself. The labour hiring company asked a sort of a package price before they started the application for me. That assistance included they helped me to find a job in New Zealand. They also helped me to apply for a work visa through the New Zealand immigration office. But I had to pay everything for that. For that package price, that's around RMB 55,000. Besides that, I also had to pay extra money for translations. Altogether, the final price was above RMB 70,000. More than that. Roughly, you can divide the number by 4.5. So \$16,500 New Zealand dollars.” (Chinese worker)

Pre-migration expenses included:

- **Visa and Agency Fees:** Migrant construction workers frequently paid between NZD 10,000 and NZD 20,000—often through high-interest loans or mortgaging family assets—to secure job offers, visa processing, and immigration advisor services.
- **Recruitment Commissions:** Certified or unregulated agents charged additional commissions for matching workers with accredited employers abroad in New Zealand. These fees were justified as “guarantees” of work.

Migration expenses were rarely borne by individuals alone. The families of migrants often used their savings, sold property, or pooled generational capital to raise funds. The moral and emotional stakes rose accordingly and failure was not only personal but communal.

“We got here expecting that we are earning better money but when we came here some of the boys didn't have a chance to go to a work site for, I think 2 months, 3 months later, and then after they got the first job. It last only like 2 weeks and then another 2 weeks rest. No like months. Then they send them back to the Philippines so

they don't have anything. They didn't earn money because some of them would have just borrow from financing company from the Philippines just to leave our families some money because we are not sure how it's going to be here. I think I can rate it like 7 out of 10 migrant workers from the Philippines borrow money from financing companies before they leave the country.” (Filipino worker)

“They send them back to the Philippines so how they can pay when they go back to Philippines? They don't have any job and then they owe the financing company - buried in debt.” (Filipino worker)

Despite legal accreditation requirements, many agents misrepresented costs and conditions through false job guarantees where contracts committed to full-time work though migrants waited weeks or months without being paid. Agents and labour hire companies overcharged for “mandatory” services, medical checks, and visa liaison fees that were sold as essential. The lack of mechanisms for refunds meant that when the promised employment did not eventuate, there was no opportunity for reimbursement.

Post Arrival Living Expenses

Arriving with debts, at times upwards of NZD 20,000, migrants were confronted with a second set of financial extraction including ongoing living costs, housing deductions, and remittance obligations that deepened their economic fragility. Employers or labour hire companies often arranged accommodation, automatically deducting rent from wages at inflated rates. The obligation to send money home intensified financial pressure, as families expected that their sacrifices would be returned. This emotional burden caused migrant construction workers to internalise familial expectations and reluctant to voice hardship.

Once in Aotearoa New Zealand, migrants were faced with purchases of tools, safety gear, or site-transport fees which were usually imposed without transparency. Routine payroll delays forced workers to borrow locally or skip meals, and workers were subjected to overcrowded rooms with six to eight people and high weekly charges.

“Sometimes I have only 30 hours guaranteed. I need to pay all of the expenses here, all the bills. Sometimes I have only \$150 on my account. I need to buy my own food for \$100, the \$50 petrol for petrol. New Zealand keep our money.” (Filipino worker)

“It’s like every time we are worried what will happen next day. Just worrying about all our expenses here. We just worried about how we will send back money to the Philippines. We just need to prioritise all the payments here before we can send money.” (Filipino worker)

The AEWV tied the migrant construction workers to sponsors who controlled both their pay and living arrangements, reinforcing compliance through economic deprivation. The AEWV’s structure in which legal status was bound to a single accredited employer transformed visas into a system of capture. AEWVs limited the workers’ freedom to change jobs to escape abuse or seek higher wages. There was also the threat of cancelling the visas through implied warnings.

These circumstances were made possible if not permitted by the state through the limited redress offered. Immigration authorities often deflected recruitment abuses to overseas agents, or Ministry of Business, Innovation and Employment (MBIE) redirected complaints back to employers. There was no place for bilateral mechanisms which held origin country agents accountable. When companies liquidated or sponsors folded or lost accreditation, migrant construction workers were left without work, pay, or clear recourse, yet still tied to an expired visa.

There were few channels through which migrant construction workers could challenge exploitation or reclaim fees. This situation was able to exist because of the devolution of responsibility by both the origin countries and Aotearoa New Zealand with neither side wanting to manage the recruitment fraud and labour breaches. The AEWV is a significant piece in Aotearoa New Zealand’s migration architecture. However, its streamlined entry, designed for skilled labour, masks structural inequities that reinforce debt-driven coercion and institutional avoidance of responsibility.

Conclusion

Debt did not merely follow the migrant construction worker into Aotearoa New Zealand. It greeted them at the airport, shadowed every decision, and dictated the terms of their labour. Debt shaped silence, compliance, and despair. Through the lenses of financial front-loading, post-arrival wage solicitation, visa dependency, and emotional collapse, we argue that the economic entrapment of migrant construction workers was not incidental. It was, in fact, foundational to a labour migration system that valued cheap, flexible labour over the humanity of the worker.

Policy Recommendations

The findings exposed the exploitation of migrant construction workers in Aotearoa New Zealand. From deceptive recruitment practices to collusive advisor/employer networks, from contractual breaches to informal, precarious job allocation, migrant construction workers endured structural violence under the guise of a regulated visa and accreditation system. Despite the promise of full-time employment, their lived realities were marked by waiting, debt, exploitation, and silencing. Addressing these injustices demands comprehensive policy reforms, strengthened oversight, and unambiguous protections.

To realign Aotearoa New Zealand's migration and labour frameworks with principles of justice and protection, the following is proposed:

1. Establish guard rails between immigration advisors and employers
 - Monitor dual ownership and enforce conflict-of-interest regulations
 - Provide migrant workers with free, independent legal representation
2. Strengthen licensing of recruitment agencies and ensure oversight
 - Mandate itemised receipts for all recruitment fees
 - Empower regulatory bodies to investigate cross-border fraud
3. Guaranteed 40 hours minimum and provide compensation while waiting to be employed
 - Enshrine minimum weekly hours in AEWV conditions
 - Compensate migrants for unpaid standby periods
4. Introduce formal rostering systems
 - Replace text allocations with auditable, written schedules
 - Impose penalties for last-minute cancellations
5. Create accessible complaint and support mechanisms
 - Establish a cross-border ombudsman with powers to pursue fraudulent recruiters

- Fund multilingual community legal clinics specializing in migrant workers' rights

6. Facilitate union and community access

- Grant unions site entry to advise and support AEWV workers
- Promote peer support networks and independent advocacy

Migrant construction workers build Aotearoa New Zealand's homes, roads, and communities. Their debt-financed journeys and ongoing financial burdens should be a public and government responsibility if we are to shift from complicit exploitation to genuine protection and empowerment of these workers.

Chapter 9 - Economic Benefits for Aotearoa New Zealand from the Exploitation of Migrant Construction Workers

One of the most overlooked facets of migrant construction labour is its direct, fiscal benefit to the state. Every worker entering under the AEWV pays visa processing fees, immigration levies, health screenings, and compliance documentation costs. These are all expenses shouldered by migrant workers or passed through recruitment intermediaries. These charges function as a risk-free revenue stream during which the state collects pre-arrival fees with no obligation for post-arrival protection or support.

This brief chapter looks specifically at how the Aotearoa New Zealand government benefits financially and hints at why it has no interest or intention in curtailing the exploitation of migrant construction workers and jeopardising this lucrative income stream.

According to Mikee, one of the main entities benefitting from the presence of the migrant construction workers was the government through the Goods and Services Tax (GST).

“It's GST for the government...Bringing in migrant workers here is like bringing in international students. They buy retail, they buy cars, they buy insurance, they pay power. These landlords, they love it! So, it boosts the economy, that's why when we are fighting for a migrant worker who will be sent back home, wait a minute, they're here already paying GST, right? They're contributing to New Zealand's economy and that's why they should be treated with respect and just like a regular Kiwi, like a citizen and many people don't notice that. The moment they arrive here, they buy a car. The moment they arrive here, it's buying the tools \$4,000, \$5,000 of tools for one person. And the tools, one person will spend around \$4,000 for the tools. That's retail! \$4,000 for the tools...They don't have tools when they come here. The company will provide them with tools, but it will be deducted.” (Mikee, Union Official)

Mikee surmised that the government was in no hurry to amend the AEWV system as they benefitted enormously from the way in which the scheme operated.

“We cannot stop because New Zealand, whether we accept it or not, relies on migrant labour, especially now. (The government) is part of the scam. They're not the perpetrator of the scam but the key players of how the scam works. They're part of it because they're the ones giving the tokens. They're not the perpetrator of the scam, but they're one of the ingredients for the scam to work.” (Mikee, Union Official)

The government, according to Mikee, attempted to maintain a public profile of accountability by making a show of addressing the exploitation and the disastrous circumstances endured by the migrant construction workers. However, Mikee believed that was a hollow display intended to achieve nothing.

“This government is on austerity measures right now. They will say in one way, we are attending to migrants' exploitation. On the other hand, they're cutting budgets for MBIE, for labour inspectorates...how does government respond to migrant exploitation genuinely? Also, it's not only they provide legislation, it's how they enforce it. They can say, anyone caught will be punished for 10 years...to appease the union and the advocates, anyone, at least two years jail time. Are they catching them? That's another matter there.” (Mikee, Union Official)

The government ignored the unethical practices employed by labour hire companies which adversely impacted the workers. Their main concern appeared to be to retrieve the taxes owed to them by companies that went into liquidation.

“When a company closes, when a company goes into receivership, in liquidation, all creditors can make a claim to the liquidator. I tap, for example, Connect Liquidating Limited to be my liquidator, and they will get all the creditors who the company owes money to. The number one creditor is always the IRD (Inland Revenue Department) and the number two is the banks and the number three - lucky if number three is there - will be the workers. And believe me, IRD and the banks get the money first, if there's money. Actually, most of the time, there's no more money.” (Mikee, Union Official)

Mikee believed that companies liquidating was a problem and that this was an issue only the government could fix. If left to the labour hire employers, Mikee said they will simply close their company and re-open under a new name or title.

“Employers getting the money, government getting the GST, but I think one of the decisions is we have to take the government into account on this one. Employers

cannot fix this problem. It's really top to bottom. The immigration, the government should be able to fix it. Employers will not fix it. They can just change the company. If they get it wrong, they can close it and open a new one.” (Mikee, Union Official)

An RNZ report¹⁷ claimed that “the construction industry remained the leading industry contributing to the liquidations, with a total of 765 companies liquidated in the last year, an increase of 46 percent compared to the previous year”. A study by Ramachandra and Rotimi (2012) revealed that liquidations were prevalent in the New Zealand construction industry for reasons of financial difficulties due to non-payment, poor debt management, drop in property prices, and the liquidation of related companies.

The larger, more well-known companies were thought to have the protection of the government during times of financial crises or if they were carrying out major projects for the government. The government did not want to risk the demise of these projects and financially supported these companies when necessary. The smaller sub-contracted companies with no such protection took the option to shut down and let go of their workers.

“The city rail link...is an alliance of employers - Downers, Naylor Love, Fletchers, right. It's a flagship company, flagship project of the government. When these companies get it wrong, there's always a blank cheque coming from the government because the project cannot stop. The government will always abide. The problem is, if I'm Fletcher, I'm building the road. I subcontract you to take care of the footpath. If I go belly up, the government will pay me. When you go belly up, no one will pay you. And then you close your company and let go of your migrant workers...The main players in the construction industry, when they over budget, they always get a blank pay cheque from the government.” (Mikee, Union Official)

Gise and Jerry from Ocean Hire were quite certain that the greatest beneficiary of the AEWV scheme and the exploitation of migrant construction workers was the government.

“Honestly, it's the government that gets most of the money...When a company is going into receivership, they owe the government all this money. But if they are not

¹⁷ <https://www.rnz.co.nz/news/business/571736/more-companies-going-into-liquidation-afterincreased-enforcement-by-ird> 5:00 am on 2 September 2025

going into receivership, the government stands to benefit about 22% off of each worker.” (Gise, Ocen Hire)

The government policy requiring labour hire employment companies to guarantee that 35% of their labour workforce was comprised of New Zealand residents and citizens employed full-time was challenging for companies.

“My only concern with our accreditation renewal is we don't meet the threshold. The threshold for construction is 35%. Why would we hire when we know that they wouldn't have work? This would bring us to bankruptcy or liquidation. Why is the government willing to close us? If the economy is not down, especially construction, we could easily get 35%. We could persevere. We've got enough manpower to manage additional people. But there is no work. Why would we hire when there's no work? So it's very hard to reach this (threshold) because there's no work available.” (Gise, Ocean Hire).

Gise and Jerry knew the vast amount of money that the government stood to lose if labour hire companies went into liquidation, or were closed down for not meeting the threshold or for being non-compliant.

“Now, if we close because we don't have that required threshold...then they (the government) would lose quite a lot. You know how much they would lose? Every two weeks, we pay about \$200,000 times 26, 52 weeks in PAYE. That's what we pay Inland Revenue (IRD) every two weeks. So how much is that? 200,000 times... PAYE. So \$200,000 times 26 - 5.2 million for one year. Then GST, we pay between half a million to \$550,000 every two months. So times six, right? So let's just put it as half a million times six. It's three million. So \$8.2 million, that would be their lost income from us. Plus all the locals that would have to go to MSD to get their benefit (if we close).” (Gise, Ocen Hire)

Given the enormous contribution that labour hire companies provide in GST and PAYE to the government, it is easy to see, if not understand, the reluctance of the government to pursue exploitative operators so long as they were paying their PAYE and GST. The concerns of the migrant construction workers, their experiences of being exploited, and the emotional trauma they were going through were insignificant to a government that gained financially from labour hire companies albeit unscrupulous ones.

In addition to the money that the government gains from the exploitation of migrant construction workers, there is a similar benefit to society. As we have shown earlier, large sums of money are paid to landlords who provide housing, sometimes at inflated costs, to the workers, the car dealerships who sell cars to the workers so that they can travel at short, unpredictable notice and long distances to the job sites, insurance companies that are meant to provide security to the workers, supermarkets from which the workers purchase their food supplies, health professionals that manage, sometimes ineffectively, the care of the workers, the stores that sell the tools which the workers are required to purchase given that they cannot bring their own tools with them when they come, and the many more facets of the economy that benefit financially from the presence of the migrant construction worker. Given the costs that the workers face and the money that they return to the economy, it is easy to see why the Aotearoa New Zealand government will not effectively and sustainably address the exploitation of migrant construction workers and why they continue the migrant worker scheme in many different forms. It is just as easy to see why the workers, having paid all these costs, have no money left for themselves much less their families back home. Unfortunately, this is not, and has never been, a concern for the government or the country at large.

Conclusion

From their arrival into Aotearoa New Zealand, migrant construction workers begin contributing to the public purse via PAYE income tax deductions and GST on purchases, regardless of whether they are underemployed or exploited. Even when benched or paid below minimum wage, every dollar they spent and every cent withheld under tax law flowed into the fiscal infrastructure. Aotearoa New Zealand does not merely benefit from migrant labour economically; it depends on it structurally and politically, all the while rendering those workers expendable and invisible.

Chapter 10 - State Legitimization of Labour Exploitation

Introduction

Aotearoa New Zealand's construction industry relies on a workforce whose hands shape our cities yet whose rights remain elusive. Over the past chapters, we have traced the journey of migrant construction workers—from visa application to job site— and revealed a paradox at the heart of Aotearoa New Zealand's growth. Migrant labour fills critical skills gaps during infrastructure expansion, funds public works and swells state coffers. Yet the people who build homes, roads, and bridges are systematically denied the protections, recognition, and social contract afforded to other residents. Their stories of deception, underemployment, and legal entrapment reveal not incidental failures, but a deliberately engineered system of exploitation.

This chapter weaves together the empirical findings and academic literature to discuss how Aotearoa New Zealand's migration and labour system functions symbiotically to enable employers and state agencies to reap economic and political rewards while externalising risk and humanitarian responsibility. We examine the fiscal windfall for government institutions, the moral and structural failures in protecting those who generate value, and the unpaid labour of NGOs that plug the humanitarian gaps. We interrogate whether the system's features—tied visas, recruitment debt, precarious accommodation, and inaccessible redress— are incidental, accidental or deliberate. Finally, we propose fundamental reforms and reflect on the emotional toll this research exacted on its authors.

Far from being broken, the current framework operates as designed. To deny this is to endorse it. To look away is to be complicit in the erasure of migrant construction workers' contributions. This chapter is a confrontation: with profits, with policies, and with the responsibilities of a society that depends on but denies migrant workers their humanity.

Systemic Exclusion and Withholding of Protections

While migrant construction workers drive revenue and infrastructure, they experience a stark absence of reciprocal protections. The same bureaucratic structure that facilitates their entry also weaponizes their legal dependency. High pre-arrival debt

and tied-visa conditions deter them from filing complaints, even when wages go unpaid or conditions become dangerous. For workers who sustain injuries, ACC redress is slow, confusing, and often predicated on citizenship status—obstacles that are embedded in policy design rather than being isolated oversights.

Visa conditions under the Accredited Employer Work Visa (AEWV)—and its predecessor, the Essential Skills Work Visa—enforce a hierarchy of citizenship. Workers are legally present yet socially and politically confined. They pay taxes but cannot access social services equitably; they build homes but cannot live securely in them; they abide by contract terms that scarcely protect them. Even pathways like the Migrant Exploitation Protection Work Visa (MEPV), launched in 2021 to enable exploited workers to remain lawfully while switching employers, are mired in bureaucratic complexity, requiring extensive documentation and risking loss of income, housing, and status.

Testimonies reveal a consistent pattern. Migrant construction workers are monitored for compliance but abandoned in crisis. One worker said that despite following the rules, there was nowhere to turn when things went wrong. Official hotlines redirect callers back to employers or dismiss cases as too complex. Ministries are quick to acknowledge the existence of mechanisms for redress yet slow, or unwilling, to enforce them. This creates a binary of injustice - migrants are counted for revenue purposes but disregarded when they seek justice.

The silence extends into public discourse. Migrant construction workers surface in economic statistics as “temporary labour” but are absent from narratives of national progress. Their contributions are abstracted into Gross Domestic Product (GDP) figures and building-consent numbers but never named as the individuals whose labour underpins the nation’s growth. This exclusion is central to a labour model that values productivity over personhood, extracting human capital while denying the workers a stake in the social contract.

The Unrelenting Sacrifice of NGOs

As state institutions evade responsibility, non-governmental organisations (NGOs) and community groups fill the humanitarian breach that arises. These underfunded, volunteer-driven bodies provide legal advice, emotional support, emergency accommodation, and food assistance to migrant construction workers in crisis. Yet

they operate without compensation, institutional backing, or public recognition. What emerges is a dual economy of migration management - one that profits the state and industry and another that forces segments of civil society into unpaid care work.

Community advocates report burnout and vicarious trauma from bearing witness to repeated stories of exploitation - *“for me my mental health was destroyed for a couple of months”*. Their testimonies underscore that care work is not merely logistical; it is deeply emotional and unremunerated.

Not surprisingly, many NGOs are run by migrants who understand displacement and exclusion firsthand. Their solidarity is not salaried but is instead driven by empathy and commitment. Even so, their commitment can waver under ever-increasing demand and minimal resources. Government rhetoric often refers to “partnerships” with civil society but fails to address funding asymmetries. NGOs are consulted but not financed; praised but not empowered; invited to the table yet granted no decision-making authority.

The work of community organizations did not go unnoticed by the migrant construction workers – *“they give us food packs...to survive”*.

The outsourcing of care to volunteer networks perpetuates a neoliberal governance model in which profits are privatised and responsibilities socialised. Without formal recognition and secure funding, NGOs struggle to sustain essential services, and their burnout constitutes a moral debt owed by the state.

The Unacknowledged Hands that Build Aotearoa New Zealand

Across urban skylines and rural landscapes, the imprint of migrant construction labour is omnipresent in the apartment towers in Tāmaki Makaurau (Auckland), highway expansions in Waikato, and suburban housing in Ōtautahi (Christchurch). Migrant tradespeople poured concrete following the Christchurch earthquakes, staffed KiwiBuild projects, and constructed schools where Aotearoa New Zealand’s next generation learns. Yet they remain unacknowledged both on scaffolds and in public memory.

Migrant construction workers underpin water-system upgrades, storm-water drainage, and transport networks. They maintain community centres and repair

existing infrastructure. However, the public's gaze focuses on project milestones and funding announcements, rarely on the workforce which made them possible.

The erasure of labour origins is a political strategy. Public narratives frame infrastructure as the product of government vision and corporate efficiency, obscuring the human cost of low-cost development. A worker captured this dynamic: *"I hope that the New Zealand government will pay more attention to the people who come from overseas to work in this country...they don't care much more about these lonely construction workers."* This backgrounding is convenient. Aotearoa New Zealand citizens reap benefits without an awareness of the plight of the workers.

Meanwhile, many migrant construction workers themselves endure housing precarity—sleeping in cars, sharing overcrowded flats, or moving through brokered accommodations under exploitative contracts. They construct stability for others while living in instability. This juxtaposition of visible infrastructure and invisible labour magnifies the ethical dissonance at the core of Aotearoa New Zealand's society's.

Without transparency in recruitment and employment demographics on public projects, there can be neither recognition nor accountability. Labour-hire companies seldom advertise their workforce's origins; public agencies rarely disclose who builds state-funded works. This omission cements a societal privilege - the luxury of benefiting while remaining ignorant of the workers and rendering their circumstances invisible. The migrant workers' contribution is foundational to Aotearoa New Zealand's civic life yet it is treated as peripheral in discussions of housing affordability, labour policy, or social justice.

Government Actions and Gaps

In response to mounting exposés of labour abuses, the government introduced two flagship policies: the MEPV in July 2021 and the AEWV scheme on 4 July 2022. The AEWV requires employer accreditation, obligations around wages and working conditions, and documentation of commitments. The MEPV seeks to offer exploited workers lawful status while they seek new employment.

In principle, these reforms acknowledge systemic exploitation, marking progress toward oversight and redress. In practice, however, they falter in implementation. Accreditation relies heavily on employer-provided documentation, with limited proactive verification of conditions. Companies with dubious records can re-accredit

under new business names, recycling legal entities to circumvent scrutiny, or dismissing the workers' grievances. One worker recounted, "*we told them (the labour hire companies) and then the union told them as well that it's on the immigration law, that 30 hours is guaranteed and they must follow it...but they just said that they follow the rules on immigration*".

MEPV's promise of protection is undermined by high evidentiary thresholds and opaque procedures. Workers fear that applying will jeopardise their status or draw retaliation. Even where exploitation is obvious—unpaid wages, contract breaches, threats—the bureaucratic onus remains on the migrant worker to prove abuse.

Labour inspections, despite increased powers, remain low in frequency and inconsistent in enforcement (Davies, 2023). Penalties for non-compliance are often minimal or delayed, yielding little deterrent effect. Complaints submitted via hotlines or online forms disappeared into bureaucratic silos and migrant workers received vague advice around the complaints procedure. For many of them, their only recourse was to rely on each other and on the support of the community— "*We need to help each other so that we can survive what's happening...we survived because the help of some of the Filipino and people who have concern for us. Some give us some food here. Some donate some money to pay our rent. To pay our bills.*"

Rather than catalyse systemic change, policies have become symbolic gestures— tools for managing reputational risk rather than addressing root causes. Among other things, they do not dismantle the employer-sponsor dependency that traps workers, nor do they regulate recruitment fees charged abroad. Without structural redesign, AEWV and MEPV remain frameworks on paper, inaccessible to those who need it most.

Trafficking-Like Conditions

Although Aotearoa New Zealand does not classify the exploitation of the migrant construction workers as human trafficking, the lived realities align with the United Nations Protocol's definition of trafficking in persons: "recruitment, transportation, transfer, harbouring or receipt of persons, by means of... coercion...deception...abuse

of power... for the purpose of exploitation” (United Nations, ¹⁸2000, Annex II, Article 3). Key elements, for example, fraudulent recruitment promises, debt bondage, tied visas, isolation, and threats permeate the migrant construction workforce.

Workers often paid between NZD 11,000 and NZD 25,000 in recruitment fees to overseas agents, incurring debts presumed repayable through promised wages. Upon arrival, contracts are altered, schedules are changed, and pay slips contradict verbal assurances. Workers, unaware of local labour laws, linguistically isolated, and legally tied to their sponsoring employer, face the credible threat of deportation if they resist or complain. One participant reported, *“next minute they receive an email - you cannot work anymore in New Zealand because your visa is cancelled by employer”*

Coercion operated through bureaucratic entrapment rather than physical chains. Migrants lived in employer-controlled accommodation, shared rooms with coworkers, and feared losing both job and home if they dissented. Financial bondage and withholding of crucial information suppressed claims of unpaid wages. A worker described the threats they faced, *“It’s on the contract. If you don’t like to take it, don’t sign it but then you are gonna be returned to your own country. The employer forced signing, (we are) forced to sign the new contract. They forced everyone...then next minute, they send email that their work permit in New Zealand is cancelled.”*

These structural features—legal status bound to a single employer, recruitment debt, and controlled accommodation—mirrored “institutions and practices similar to slavery,” such as debt bondage and forced labour, outlined in the UN’s Supplementary Convention on the Abolition of Slavery (1956). Workers are trapped in paperwork, promises and silence. Although no physical restraints exist, the psychological and economic constraints produce the same deprivation of autonomy.

To acknowledge these parallels is not emotional guilt but a moral and legal observation. Exploitation under the guise of legality subverts the protective intent of migration policy, breaching both domestic fairness principles and international human rights obligations. Aotearoa New Zealand’s reliance on migrant construction labour straddles the border of trafficking and demands an urgent re-evaluation of the

¹⁸ chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https://www.unodc.org/res/humantrafficking/2021the-protocol-tip_html/TIP.pdf

boundary between permitted work migration and coerced servitude (Human Rights Commission, 2024).

Pathways to Justice: Fundamental Reforms

The systemic design that extracts economic value while outsourcing risk needs to be dismantled through comprehensive structural reform. Incremental adjustments will not suffice. The following proposals, grounded in participants' testimonies and comparative best practices, are aimed at realigning New Zealand's migration and labour frameworks with its democratic values.

1. Decouple Visas from Single Employers

Introduce a sector-based mobility visa for construction workers, allowing job changes within the industry without new visa processes. This dismantles employer gatekeeping and fosters bargaining power, reducing fear of retaliation and enhancing job satisfaction and retention.

2. Establish an Independent Migrant Labour Regulator

Create a statutory body separate from Immigration New Zealand and Ministry of Business, Innovation and Employment (MBIE), empowered to proactively audit labour conditions, investigate complaints, and enforce sanctions. By shifting enforcement from complaint-driven to systemic oversight, this regulator would bridge accountability gaps and deter non-compliance.

3. Regulate International Recruitment

Mandate bilateral recruitment agreements with source countries to ban worker-paid placement fees, require pre-departure orientation in native languages, and guarantee written contracts. Offshore agents should be licensed and subject to effective penalties.

4. Guarantee Equal Access to Rights

Embed access to ACC, public healthcare, legal aid, and tenancy support within visa conditions. All workers contributing to the tax base deserve basic social protections. Early access to injury care and mental health services will reduce long-term public costs and affirm human dignity.

5. Condition Public Procurement on Ethical Labour

Require government contracts for housing and infrastructure to verify that subcontractors meet labour-rights standards. Decentralised oversight in subcontracted layers facilitates abuse. Tying public funding to transparent compliance will reshape industry norms.

6. Redesign the Exploitation Protection Visa

Lower evidentiary barriers by accepting worker testimony as *prima facie* grounds for temporary relief. Grant immediate work rights, extend visa duration, and streamline application processes to ensure genuine protection rather than symbolic gestures.

7. Institutionalise Migrant-Led Support Hubs

Fund community-based service centres in partnership with NGOs that are staffed by multilingual advisors offering legal, employment, and psychosocial support. Formalising these hubs recognises NGO expertise, ensures sustainability, and elevates migrant voices in support provision.

8. Pathway to Permanent Residence

Offer long-term migrant construction workers a clear pathway to residency based on service duration, skill contributions, and community integration. Recognising their sustained input affirms belonging and dismantles the “temporary” narrative that justifies exclusion from social investment.

9. Integrate Labour Rights into Public Education

Embed migrant workers’ contributions and labour-rights education into civic curricula and awareness campaigns. Celebrating the people behind infrastructure fosters solidarity and counters xenophobic narratives by humanising migrant workers.

These reforms are feasible with political will and would generate wide-ranging benefits including greater labour market stability, reduced recruitment debt, improved public trust, and alignment of migration policy with human-rights obligations. Aligning economic growth with social justice affirms that prosperity is not measured solely in GDP, but in the dignity extended to all who build the nation.

Conclusion

This chapter has exposed the silent scaffolding of Aotearoa New Zealand's construction industry—one upheld by migrant hands which are denied dignity, voice, and security. The state accrues financial benefits from visa fees and tax revenues, leverages cost-suppressed labour for infrastructure growth and enjoys global prestige as a site of orderly development. Meanwhile, migrant construction workers shoulder debts, injuries, and systemic neglect. NGOs absorb the fallout through underpaid emotional labour. Public benefits are realised on the backs of invisible workers. Government policies, though newly minted with protective language, falter in execution, leaving exploitation intact.

Restricted visa conditions strip workers of bargaining power. They cannot freely change employers, join unions, or reject unfair treatment without risking deportation. This controlled vulnerability translates into stable, low-cost labour that accelerates project timelines, reduces turnover, and dampens disruption. Government, in turn, acquires more infrastructure per public dollar, stretching investment through industrial efficiency. Beyond direct payments, the state benefits from systemic labour-cost suppression.

A regulated proliferation of labour-hire companies including exploitative intermediaries has been tacitly enabled by policies prioritising rapid migrant worker intake over enforcement of standards. This model favours both private contractors and public agencies, ensuring a steady labour supply for urban development. Indeed, official discourse lauds productivity gains and completed milestones without acknowledging the migrant hands behind them. The state's economic gain thus extends into infrastructure output, international reputation, and political capital. Public works become monuments to national progress, concealing the mortal risks, unremunerated hours, and compounded debts endured by the migrant workforce.

Even worse, the system flirts with trafficking-like dynamics—fraudulent recruitment, debt bondage, tied visas—echoing slavery's modern forms. To perpetuate such a model does not allow for fairness, transparency, and human rights. It should be noted that, despite significant international pressure, New Zealand has not yet ratified the International Convention on the Protection of the Rights of All Migrant Workers and

Members of Their Families¹⁹ (HRC, 2024). The design of each policy choice encodes priorities - control over care, efficiency over empathy, and secrecy over solidarity.

Yet, the system's design is not immutable. This chapter's reform blueprint charts a path from extraction to reciprocity—decoupled visas, independent oversight, regulated recruitment, guaranteed rights, ethical procurement, low-barrier protection visas, migrant-led support, permanent residency pathways, and public recognition. These measures would not only repair injustice but enhance productivity, social cohesion, and national integrity.

At its core, this confrontation demands moral clarity. Migrant construction workers who build our homes, schools and roads are not commodities but community members. Fairness is not a by-product of economic policy; it is its foundation. To look away is to perpetuate the silence. To act is to honour the voices entrusted to us and to shape a nation that lives up to its promise.

¹⁹ [The-Accredited-Employer-Work-Visa-Scheme- A-Human-Rights-Review-FINAL.pdf](#)

Chapter 11: Conclusion

Introduction

This chapter consolidates the study's unique contributions, acknowledges its limitations, outlines avenues for future research, and presents policy recommendations aimed at transforming the conditions of migrant construction workers in Aotearoa New Zealand. It concludes with reflections on the ethical and political imperatives arising from the evidence, emphasising the human cost behind migrant-built infrastructure and the urgent need for systemic change.

Original Contributions

1. Multi-Actor Interview Methodology

Qualitative interviews engaged four interconnected stakeholder groups—migrant construction workers, labour hire employers, union representatives, and community workers. This design enabled triangulation of narratives, revealing both convergences (e.g., shared concerns over labour shortages) and deep tensions (e.g., divergent views on guaranteed hours). Capturing the full relational dynamic enhanced validity and offered a template for research in other complex labour sectors.

2. Emotional Landscape of Visa-Linked Precarity

Beyond economic and legal dimensions, this research foregrounds the psychological burdens of visa precarity. Workers described sleeplessness alongside anxiety, depression, and emotional paralysis. These testimonies showed immigration status as an embodied stressor that reshapes identity, trust, and wellbeing, moving analysis from policy critique to lived experience of legal liminality.

3. Informal Survival Networks as Emotional and Economic Infrastructure

Building on the concept of emotional infrastructure, the study illustrates how peer-to-peer networks function as parallel systems of care. Practices such as communal cooking, rotating financial support, and empathetic peer conversations operated not only as coping mechanisms but as spaces of dignity and solidarity. These networks are critical for resilience amid systemic neglect.

4. Critique of Employer Accreditation and State Complicity

Contrary to assumptions that accreditation safeguards migrant construction workers, empirical evidence showed that the AEWV scheme often legitimises exploitative practices. Official approval becomes a veneer for companies that routinely violate labour and health standards. Workers' accounts revealed a disturbing double standard. They faced penalties for documentation lapses, while employers operated with impunity. This reframing shifts the focus from isolated "bad actors" to a flawed regulatory architecture that perpetuates institutional betrayal.

5. Government complicity

Most, if not all, research studies on migrant workers have reported on the exploitation faced by the workers as a consequence of a range of factors including fraudulent agreements, abusive employers, illegal employment practices, inhumane conditions, visa precarity, and the lack of care for the future of the workers. Not much research, if any, has explicitly shown and pointed to the government's deliberate hand in aiding and legitimizing these practices for the economic benefits that result from this exploitation. This research calls on the government to acknowledge that any action on their part to redress the exploitation of migrant construction workers and uphold their dignity will result in immense loss of earnings for the country.

6. Aotearoa New Zealand's economy depends on the earnings of migrant construction workers

Most studies have pointed to the exploitation of migrant construction workers as a result of the flaws within the migration labour system. One of the emphases of this study is the monetary value to Aotearoa New Zealand's economy from the presence of the migrant construction worker. We have shown that almost every cent that the migrant construction worker makes is returned to the country. This begs the question – is it worth the migrant workers' suffering to build Aotearoa New Zealand's financial coffers when they gain so little in return?

Limitations of the Study

1. Sampling Constraints and Representation

This report focused on migrant construction workers holding an AEWV. The experiences of some of the country's more vulnerable workers eg undocumented, with limited language proficiency, on visitor's visas, are not represented here.

2. Temporal and Contextual Specificity

Data collection took place within a defined socio-political window shaped by specific immigration policies and economic conditions. As legislation evolves and market dynamics shift, migrant construction workers' experiences may change, limiting direct applicability of conclusions to future contexts.

3. Researcher Reflexivity and Potential Bias

While reflexive practices were rigorously applied to mitigate conscious bias, the researchers' perspectives may have subtly influenced thematic coding and narrative framing. However, it should be noted that qualitative analysis inherently involves interpretive judgement.

Opportunities for Future Research

1. Longitudinal Career Trajectory Studies

Tracking migrant construction workers over several years would show how employment conditions, legal status transitions, and wellbeing interact over time, offering insights into lasting impacts of current visa and labour frameworks.

2. Comparative Industry Analyses

Extending research to sectors such as agriculture, hospitality, and healthcare would expose industry-specific vulnerabilities and best practices. Comparative studies could guide targeted policy responses to systemic exploitation across the economy.

3. Policy Impact Evaluations

As immigration and accreditation regulations evolve, systematic evaluations of new policy measures are needed to assess their efficacy in preventing abuse, promoting worker autonomy, and enhancing mental health outcomes.

Recommendations for Policymakers

- Strengthen Employer Accreditation Enforcement
 - Implement regular, unannounced audits of accredited firms.
 - Establish a secure, multilingual reporting platform with whistle-blower protections.
 - Impose escalating penalties for non-compliance, tying licence renewal to remediation outcomes.
- Enhance Multilingual Support and Community Partnerships
 - Develop accessible, culturally appropriate informational resources on rights and services.
 - Appoint community liaison officers within government agencies to bridge trust gaps.
 - Increase funding for NGOs that provide legal aid, mental health support, and emergency assistance.
- Reform Visa Conditions to Increase Worker Autonomy
 - Allow migrant construction workers to change employers without risking visa cancellation.
 - Create a fast-track mechanism for reporting exploitation and securing alternative work placements.
- Mandate Ethical Employment Training for Accredited Employers
 - Require certification in labour rights and anti-exploitation practices as a prerequisite for accreditation.
 - Integrate experiential learning modules featuring worker narratives to foster empathy.
- Establish a Centralized Monitoring and Data Analysis System
 - Collect real-time data on working conditions, complaint resolutions, and compliance trends.

- Ensure transparent data sharing among labour inspectors, immigration officials, unions, and community organisations for coordinated intervention.

Emotional Impact on the Researchers

Documenting these accounts was not a detached academic exercise; it was an emotional journey for the research team. Bearing witness to stories of exploitation, silence, and survival exacted a profound human cost. Reading transcripts triggered tears, concern, and periods of frustration. Transcribing the interviews exacerbated the emotional harm as the same narratives of broken promises and silent suffering replayed in relentless detail.

Interviewers described returning home drained, carrying the raw pain of respondents in their bodies. One researcher admitted, *“I sat in my car for hours after the interviews. The despair in their voices was unbearable.”* Another recounted persistent headaches and a pervasive sadness that lingered beyond work hours. The weight of hearing the same experiences of hunger, homelessness, and debt led to related trauma, and raised urgent questions about the ethics of listening. Yet this emotional engagement was not weakness—it was evidence of ethical commitment. The team refused to commodify suffering into sterile data. Instead, they allowed themselves to be moved, to carry the burden of testimony as a form of solidarity. This reciprocal vulnerability deepened the moral clarity underpinning policy recommendations - that remedy must match the gravity of harm.

However, the researchers grappled with powerlessness. Documenting injustice without immediate avenues for redress exposed the limits of academic intervention. This tension galvanized a sense of public responsibility that these findings could not languish in archives but must propel advocacy and awareness. The decision to include this section on emotional impact affirms that longing for change begins with acknowledging the pain borne by both participants and those who listen.

Conclusion and Final Reflections

This study exposes a migrant worker labour system where recruitment deception, credential devaluation, language barriers, coercive visa ties, and restricted institutional support combine to create a deeply precarious environment for migrant construction workers. It reveals the state’s reliance on migrant labour’s economic

value while evading reciprocal protections, burdening NGOs with remedial care, and rendering workers' contributions invisible in public policy and social consciousness.

By weaving together the voices of workers, employers, union officials, and community advocates, this study paints a holistic portrait of systemic injustice and resilience. The poignant question remains - What kind of society allows those who build its cities to sleep on couches, rely on food banks, and cry in silence? Technical reforms alone are insufficient; a structural transformation is required - one that acknowledges that the workers are here to work but also to live humanely. This narrative must become the cornerstone of Aotearoa New Zealand's labour and migration policy.

This chapter stands as both an academic contribution and an act of public witness, demanding action from policymakers, industry leaders, and citizens to build not only homes and infrastructure but a more just and empathetic social migrant labour contract.

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