



SUBMISSION

Submission: Worker Protection (Migrant and Other Employees) Bill

To: Education and Workforce Committee

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Ia Ara Aotearoa Transporting New Zealand submission to Education and Workforce Committee on the Worker Protection (Migrant and Other Employees) Bill

Introduction

- 1 Ia Ara Aotearoa Transporting New Zealand (Transporting New Zealand) welcomes the opportunity to make a submission on the Worker Protection (Migrant and Other Employees) Bill (the **bill**). As a national association representing road freight transport companies, many of our member companies employ migrant workers¹, and want to ensure migrants are effectively protected from exploitative employers.
- 2 Transporting New Zealand cannot support the bill in its current form.

Support for BusinessNZ submission

- 3 Transporting New Zealand supports the submission of BusinessNZ. In addition to supporting the BusinessNZ submission, Transporting New Zealand has some additional feedback to provide.

Prioritising resourcing and enforcement

- 4 Transporting New Zealand is particularly concerned with two features of the bill:
 - 4.1. amending the Immigration Act 2009 to empower immigration officers to request documents to verify that employers of migrant workers are complying with their obligations.
 - 4.2. allowing Labour Inspectors and immigration officers to issue an infringement notice when employers fail to provide requested information within a reasonable time frame.
- 5 Transporting New Zealand is concerned that these elements of the bill will direct already scarce resourcing towards “desk-based immigration officer[s]” and the investigation of “less serious” and “less intentional” offences.² The government should not be directing its \$50 million funding commitment towards back-office roles and low level offending.³
- 6 Transporting New Zealand submits that Immigration New Zealand and the Labour Inspectorate should be focussed on higher level offending, and educating employers who may lack knowledge about their obligations (a group highlighted in the accompanying Kantar Public research).
- 7 In the event that the bill proceeds, Transporting New Zealand supports the suggestion made by Erica Stanford MP at the bill’s first reading that section 275A of the Immigration Act “Power to access employment documents” include a “reasonable grounds” threshold. For example, requiring that an immigration officer believes on reasonable grounds that the person is committing, or has committed, an infringement offence.

¹ Migrant workers, particularly truck drivers, provide an important supplement to the road freight workforce. In 2020 we surveyed 600 trucking operators and found that 20 percent had employed a staff member on a migrant visa.

² Worker Protection (Migrant and Other Employees) Bill, General Policy Statement.

³ Referring to the Government’s 2020 \$50 million commitment to help ensure that Employment New Zealand and Immigration New Zealand are better resourced to respond to reports of exploitation and to take action.

- 8 This would go some way to preventing immigration officers from over-exercising their new powers, prevent “mission creep” from Immigration New Zealand, and limit compliance costs for good employers.

About Ia Ara Aotearoa Transporting New Zealand

Ia Ara Aotearoa Transporting New Zealand is a national membership association representing the road freight transport industry. Our members operate urban, rural and inter-regional commercial freight transport services throughout the country.

As the peak body and authoritative voice of the road freight sector, Transporting New Zealand’s purpose is creating the environment where trucking operators can drive successful, safe, sustainable businesses. Our strategic priorities are:

- Providing one industry voice for advocacy
- Promoting the road freight transport industry
- Attracting talent and promoting workforce development
- Supporting our members and customers
- Sustainability, safety and responsible emissions reduction

New Zealand’s road freight transport industry employs 33,000 people (1.2% of the total workforce), and has a gross annual turnover in the order of \$6 billion. This is part of a wider transport sector that employs 108,000 people and contributes 4.8 percent of New Zealand’s GDP. Road freight transport accounts for 93% of the total tonnage of freight moved in New Zealand (MoT National Freight Demands Study 2018).

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