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**CHALLENGES FACING MIGRANT  
WORKERS IN THE NEW ZEALAND  
CONSTRUCTION SECTOR**

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1/1/2021

**DECLARATION**  
**STUDENT’S DECLARATION**

I make a declaration that work presented in this study is my own work and hence original and a submission or presentation of same or part thereof has not been being it for award of any academic achievement in this University or any other University to best of my knowledge

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.....

**Ellie Ghorbani**

**Date**

9707306

## **DEDICATION**

It is my utmost wish to have the work presented in thesis dedicated to my family, supervisors besides close friends. Such a committed inner circle of people has greatest belief in my ability and maintained a spirit of encouragement throughout the entire period of research study. Their love, tolerance besides understanding generated a belief in me and a reason I was obliged to be successful

## ACKNOWLEDGEMENT

My utmost and sincerest gratitude to Almighty God for this far He has brought me. I have been able to manage to accomplish this study, despite the tough times as a result of covid-19 pandemic, courtesy of His protection, power, extravagant love and provision

Heartfelt gratitude is in order to my team of supervisors for pieces of advice and support they have provided me from the time of commencement of project. Their pieces of advice guidance, encouragement and mentorship on my careers and this research in particular have come out to be without a price.

A special note of gratitude to my family. I am indebted to my family for all their sacrifices made for sake of my success in this project and on my behalf. Their prayers and love have managed to sustain me to this extent.

On a final note, I am by no means sincerely thankful to my classmates for unwavering and unconditional support I received from them throughout the research period. May you be abundantly blessed.

## ABSTRACT

The construction industry, owing to its nature, tends to be rooted in a position in which the products tend to differ from one site to another and hence frequently calling for flexible teams of workers having a broad range of skills and the industry tends to be relatively sensitive to type changes in wider economy. Construction is hence normally highly reliant on migrant workers since they are a mobile labour force which is also flexible besides being reliable, especially during economic downturns. The construction industry of New Zealand, as is case with any other construction industries in other countries offers an ideal illustration of the ever-changing nature of work and the effects that has had on occupational health and safety of sub-contracted migrant construction workers. The vulnerability of migrant workers in the construction industry of New Zealand is examined in this research to establish the various challenges that are experienced by this group and thereafter offers a discussion on ways forward with regard to creation of a more effective regulatory regime and a safer and healthier industry besides. This study delves into some of challenges that face such attempts to have access to decent, fair and safe working conditions within the construction sector and relates them to the similar challenges which occur in other sectors in NZ. Migrants have historically been a source of labour for various construction markets across the industrialised and industrialising nations alike. While acknowledging the significant variation in construction activities and construction labour markets, this study explores the differences in working conditions and employment relations for migrants deployed in construction and comes up with some of universal conditions and common challenges which are faced by migrants to New Zealand, some of which go beyond a single labour market. An assessment is made as to how this research can be the basis for further research and its findings applied to improve the existing labour legislation and policies.

**Keywords:** Construction industry; migrant workers; poor working conditions; New Zealand; policies and standards

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## CHAPTER I: INTRODUCTION

### Introduction

The construction sector is one of the most labour intensive sectors in the world. The emergence of new technology has not entirely affected the construction industry to the same level of redundancies as has been the case in some sectors. Even though there have been significant improvements in construction methods globally, most of the innovations in the industry still require human resources to operate Jarkas, Balushi & Raveendranath, (2015). In fact, it may be asserted that the emergence of technology has created more employment opportunities in the construction sector albeit for people with the right skills. As the world grows in technology and population, there has been an increased need for more infrastructure development such as buildings, roads, rail systems and air transport. People need to live, work and move comfortably. This increase in need for various types of infrastructure has increased the spending levels both of countries and individuals investing in the construction sector Alaghbari, Al-Sakkaf & Sultan, (2019). Undoubtedly, this has increased the need for more construction workers. More than all other sectors, it is in the construction industry that a high number of semi-skilled and totally unskilled workers are absorbed. Rapid developments in countries such as New Zealand have caused a shortage of workers in their respective construction sectors. This has prompted New Zealand and similar nations to rely on foreign labour and employ migrant workers in their construction sectors Rahim et al., (2018). Although this has been successful to some degree and in many countries, it is not at all easy as a significant portion of these migrant workers face many problems in the course of their work expeditions to foreign territories. Hence, this research paper seeks to evaluate those particular problems faced by semi-skilled and unskilled migrant construction workers in New Zealand.

## Background

The late 1980s and after saw a significant deterioration in post-war standard employment in most of the Organisation for Economic Cooperation and Development (OECD) nations owing to several factors (Ibrahim et al., 2010). An increase in globalisation, the broadness of labour markets, and rising competitive pressures resulted in the need to create greater flexibility of labour, and had different effects on standard employment and conventional tripartite employment relations Economics, (2015). Still, the participation rates of the labour force have recently been on the decline; a reflection of the loss of at least 37 million potential workers from the international labour force (Hampson et al., 2014). However, it is essential to note that there is a dramatic fluctuation in labour participation in the construction industry due to its boom-and-bust nature (Zhou et al., 2015). Nevertheless, long-run trends act as a pointer to more reductions, with rates of participation anticipated to significantly reduce to less than 63% of the world population of working age by the close of 2030 (Greer et al., 2013).

For a long time New Zealand has depended on migrant workers to supplement the national labour supply. A significant increase has been noted in temporary migrants' numbers (Han et al., 2015). Temporary migrants have an essential role in the labour market, taking part in activities that require both skilled and unskilled knowledge (Chan et al., 2017). However, the vulnerability of this group particularly regarding possible exploitation has recently received a significant rise in attention.

With a rapidly industrialising world needing more and more infrastructure, worker exploitation has gone from bad to worse Alam et al. (2021). There has been a decline in wages and working conditions in terms of workers' health and safety, reduced benefits, and high-income inequalities (Berntsen, 2015). Changes in the construction industry, such as the reliance on

contracted labour, have fuelled workers' exploitation (Berntsen, 2016). Today, the construction industry is known for its short-term contracts, informal employment practices and complicated sub-contracting chains; conditions that generally leave the workers subjected to exploitation (Berntsen & Lillie, 2016). Moreover, at least 50% of all construction-related businesses in the OECD nations are small firms employing less than ten workers. A significant portion of these tends to be contingent and migrant workers (Buckley, 2013). Besides exploitation, the working conditions are generally risky – a form of 'at work' exploitation. The rates of injury, illness and fatalities in the New Zealand construction sector tend to be among the highest.

Understanding the challenges concerning safety and decent working conditions that migrant workers in the New Zealand construction industry face would help form stricter policies and to establish standards that would ensure a better quality of working conditions. (Horta et al., 2013).

#### [Contribution of the construction sector to a nation's economy](#)

The pace of construction provides a clear indication of the value of a country in terms of how well the economy is doing. As a rule of thumb, a country with many construction sites working at the same time can mean that the economy is doing well. This is because the construction sector is usually developmental in nature thus implying that all expenditure towards development is made after all the recurrent expenses of a nation have been met Myers, (2016).

The construction industry in New Zealand has remained resilient amid the surge caused by the covid 19 pandemic. There has been a high demand and increasingly so for residential buildings in NZ. The only downside to this growth has been the reduced supply of the necessary skills and materials to the industry. There have also been concerns about the global supply chain which has affected the ease of construction activities in NZ. Most projects, despite being on high demand,

may not be delivered on time due to this. The overall result of this is higher building costs. This may cause a shrink in the economy of NZ MBIE, (2021).

#### [The construction sector and demographics](#)

Availability of social amenities is one of the main considerations of where to live and work. It is therefore not surprising to find many more people live in urban areas as compared to rural areas all over the world as most urban areas have a superior infrastructure. The construction sector is therefore, by extension, a great influence on the demographics of an area Eichner, (2019). Urban and land development is one of the factors that contributes to metropolitan increase in population. The effect of the construction sector on demographics is therefore significant. Places with low infrastructural development usually have low population Eichner, (2019). Construction activities can therefore often point to an almost ballooning population of an area; a good pointer to the future population prospects of an area.

The construction sector in NZ largely remained most active in the urban settings where most of the populations are located. The need for housing was high in the towns and cities as compared to the rural areas. This is the phenomenon almost all over the world. Towns and cities present many opportunities for living and working which attracts people to them. despite the surge in the construction industry globally, the demand for housing in NZ was quite high Stats NZ (2021).

#### [The construction sector and migrant labour](#)

As indicated earlier, the construction sector is one that employs many semi-skilled and unskilled workers. Also, as noted before, as world population grows, there is need for more developments to take place so that people can live and work comfortably. This growing need has led to a shortage of construction workers in some parts of the world and to address this, these

countries have decided to import labour from other territories. Today, more and more countries are relying on migrant workers in their construction sectors for various reasons Lewis et al. (2015).

In the construction sector in NZ, there was an increased demand for workers despite the covid 19 pandemic and the restrictions that come it came with. In fact, government data indicated that there was an increase in the construction workforce of NZ by about 21,000 people Stats NZ (2021). These employment statistics, the authorities noted, were majorly in building works and related services. The number of migrant workers however slightly went down as travel restrictions took a toll on world economies Stats NZ (2021).

#### [Aims and objectives of the study](#)

The main aim is to examine Occupational Health and Safety (OHS) issues facing migrant workers in the New Zealand construction sector. In particular, under what circumstances do the main OHS issues present and how these issues are managed (or not as the case may be). The study will consider the different critical issues faced by the workers in the construction industries: high levels of debt when the migrant workers arrive in New Zealand, a high level of complexity in immigration-related procedures, high rates of expenses, lower rate of pays and deductions from the payments, uncertainty in the working hours allocated to the migrant workers. All these, directly or indirectly, form a part of discrimination and exploitation of construction sector migrant workers and are the underlying basis of this research.

Drawing on extant literature, the dissertation will endeavour to: 1) analyse the overall working experience of migrant workers in the New Zealand construction sector; 2) examine the main issues facing these workers; and, 3) ascertain how these issues impact their wellbeing, health, and safety and how they can be mitigated.

## Research questions

- What are the working experiences of migrant workers in the New Zealand construction industry? This question seeks to ascertain the general affairs of migrant workers. Although most of the experiences will be construction-based, other non-construction-related instances may be delved into since the productivity of an individual may be affected by factors outside the work environment.
- How are the migrant workers exploited in the New Zealand construction industry? This question will look at the avenues where migrant workers face discrimination and exploitation. The various forms of exploitation and abuses by their employers and other New Zealanders will be evaluated through this research question.
- How does the exploitation of and discrimination against migrant workers in the New Zealand construction industry affect their safety, health, and wellbeing? The effect of the discrimination covered in the research question above on the overall performance of the migrant workers will be evaluated.
- What are the strategies that can be used to mitigate such discrimination and exploitation? The possible solutions to these problems facing migrant workers will be addressed.

## Exploitation faced by migrant workers in the construction industry

Migrant workers in the New Zealand construction industry face various types of exploitation (Stringer, 2016). As discussed above, these include high levels of debt when the migrant laborers arrived in New Zealand, high level of complexity in immigration-related problems, high rate of expenses and a lower rate of pay, deduction of an amount from the payment, uncertainty in the working hours allocated and debits from the migrant workers' wages on the pretext of tax which are not remitted to the government Strauss & McGrath, (2017). Exploitation also includes



disrespectful treatment of migrant workers coupled with verbal abuse, due to their accents despite them having excellent speaking skills, discrimination in hiring based on their skin colour, poor accommodation conditions, high weekly rents for shared accommodation and disregarding their experience and qualifications by only giving them jobs at entry-level Lazaridis, (2020) (Santoso, 2009).

#### [Reasons for the surge in the number of migrant workers in the New Zealand construction industry](#)

Migrants, permanent settlers and temporary workers alike, have for the last decade, been the structural face of construction markets in numerous nations Simon-Kumar, (2015) . Throughout history migrants have also had a significant role the growth of cities. The sector's high dependence on migrant labour is usually a result of several factors, among them the seasonal and project-dependent character of construction works. It is also partly due to the locational constraints of the construction processes Hasan et al. (2018). Like many industries, among them consumer services, mining, or even agriculture, work in this sector cannot be relocated in search of lower labour or transport costs, or even of material (Larner, 2019).

#### [Occupational Health and Safety discrimination faced by migrant workers](#)

If a worker is affected by something mentally or physically, that can be considered as part of occupational health and safety (Build Force Canada, 2014). Some of the most common types of occupational health and safety issues experienced by migrant workers are; ignoring the migrant workers' experience and qualifications, setting them up for entry-level positions, discrimination and disrespectful treatment, high cost and improper accommodation, high levels of debt, and complexity in immigration, uncertainty in working hours and unlawful deduction of pay and high rate of expenses against lower wages described in the previous section and these are the subject of continuing research (Stringer, 2016).

## Thesis structure

Chapter I: Introduction: This chapter provides a brief background to the field of study, touching on issues affecting migrant workers in the New Zealand construction industry. The chapter considers these issues, the aims and objectives of the study, the guiding research questions, the significance and justification for the study, limitations, and the assumptions made in the study.

Chapter II: Literature Review: This chapter reviews the various literature published on the working experiences of migrant workers employed in the New Zealand construction industry. The chapter concludes the different critical issues faced by the workers in the construction industries such as high levels of debt when the migrant workers arrive in New Zealand, complexity of immigration processes and related problems, high rates of expenses, lower rates of pay, deductions from pay and uncertainty in the working hours, among others. A systematic literature search and critical reviews have been used to tackle the research questions.

Chapter III: Research Methodology: This section covers the investigation strategy. It is a discussion of the strategy for the research-. The phases of planning, the processes undertaken, purposes, methodologies, information sorting, and investigation into the extent of the problems are covered here (Wood, Noy, and Parker, 2016).

Chapter IV: Findings and Analysis: The outcomes of the study are reviewed in this Chapter. An analysis of the findings and their implications is the baseline of this chapter. The investigation is based on the previously stated research aims and objectives. The roles of migrant workers in the New Zealand construction industry are explored in greater detail. The particular vulnerable migrant groups within the New Zealand construction industry are also considered. Related factors such as the disorganisation observed in the New Zealand construction industry – a driving factor for the surge in migrant workers – are evaluated here (Mekkodathil, El-Menyar, and Al-Thani,

2016). The chapter delves into the various OHS regulatory policies that have failed to protect migrant workers.

Chapter V: Conclusion & Recommendations and Implications for Future Research: This chapter offers a summary of the entire research study, noting its contribution to the research field, and presents a list of proposals and opportunities for further investigation.

References: A list of various contacted sources of information in meeting the aims and objectives of this research is provided.

### Summary

After reviewing the various issues that migrant workers are likely to experience and the integration of the construction industry with the economy of a country, its effect on the demographics of a country, the guiding aims and objectives of the study, the formulated research questions, the problem statement and the thesis structure proposed above, this dissertation seeks to declassify and provide an overview of the New Zealand construction industry.

The work presented will help get an overview of the exploitation of the migrant workers in the New Zealand construction industry. This work will also examine the different types of work visas for migrant workers as a way of understanding how exploitation occurs.

The findings of this study will be crucial in providing a greater and more precise comprehension of the issues related to safety and decent working conditions facing migrant workers in the New Zealand construction industry. The research will also capture the existing policies aimed at attaining the required cushion for migrant workers. The most likely beneficiary of this research is the New Zealand Government, especially the department of infrastructure, planning, and development of which the construction industry is a member (Horta et al., 2013).

The assumptions and limitations identified during the course the study will also be considered at the conclusion of the research.

## CHAPTER II: LITERATURE REVIEW

### Introduction

This chapter will review the various literature published on the working experience of migrant workers employed in the New Zealand construction industry. A temporary migrant worker is one who works in a country for an interim time. This chapter will expand on literature covering the different critical issues faced by the workers in the construction industry: like high levels of debt when the migrant workers arrive in New Zealand, high level of complexity in immigration-related problems, high rate of expenses, lower rate of pays, deduction of an amount from the payment, uncertainty in the working hours allocated to the migrant workers among others.

### Review of literature: The Plight of Migrant Workers

Researchers analysed the data from the 1990s to 2000s of temporary migrants' patterns of employment in New Zealand. Many studies have been conducted to analyse the different issues faced by migrant workers in New Zealand. These studies are published by NGOs, government departments and academics, for example Stringer and Michailova, (2018); Yuan,Cain& Spoonley,(2014):Stringer et al. (2014),; Searle McLeod,& Stichbury,(2015);Searle,McLeod& Ellen-Eliza,(2015); Stringer,(2016); MacLennan, (2018) and Bilau, et al (2015).

Bilau, et al (2015) discussed the various issues faced by migrant workers in New Zealand. They contend that most migrant workers face the following problems; vulnerability, language barriers, different cultural backgrounds, family pressure, different conditions of visas, fear of losing their job, and lack of knowledge of employees' rights and practices. They conclude that everyone can do something to improve the conditions of the migrant workers. Employers can inform the migrant workers about their rights and practices as employees, which can help the migrant workers have faith in their employers. Unions and communities of the migrant workers can also ensure that the migrant workers are well aware of the employee rights, employment laws

of New Zealand, work atmosphere in New Zealand construction industries and in other industries. Church communities can help the newly migrated workers by assisting them in finding accommodation. Church communities can also help migrant workers solve the issues they face and not hold with bad employers. Migrants themselves should be aware of employees' rights, help the other migrants solve their problems, and raise their issues or other workers with the unions and communities. It was concluded that all together could make this possible by extending a hand of friendship and strengthening the relationship between the migrant worker and their employers through knowledge sharing.

Stringer and Michailova, (2019) researched the exploitation of the temporary migrant workers and compared the exploitation occurring in New Zealand, the United Kingdom, Canada, and Australia. They discussed the different types of exploitation like fees and debt, submission of contracts, underpayment, wage theft, excessive work hours, violation of safety and occupational health.

Teariki et al. (2017) analysed the effect of the rise in the migrants in New Zealand and the effect on the labour market. They focused their study on the temporary migrants and their impact on New Zealand employment outcomes. These temporary migrants come from different categories; they can either be skilled workers or seasonal agricultural workers; they can either be international students or members of migrant families. They found that most migrant workers are in the viticulture, horticulture, and hospitality sectors, and these migrant workers account for 10% of the overall work.

Figure 1 shows the number of months worked by temporary migrants, youth, and other workers. While the data is not current (recent data is not available), it does provide useful insights. It can be observed from the figure that the increase in the percentage of the number of months

worked by temporary migrants from the year 2001 to the year 2011 is very high, at around 500 %, compared to the other two categories (youth and other New Zealand workers).

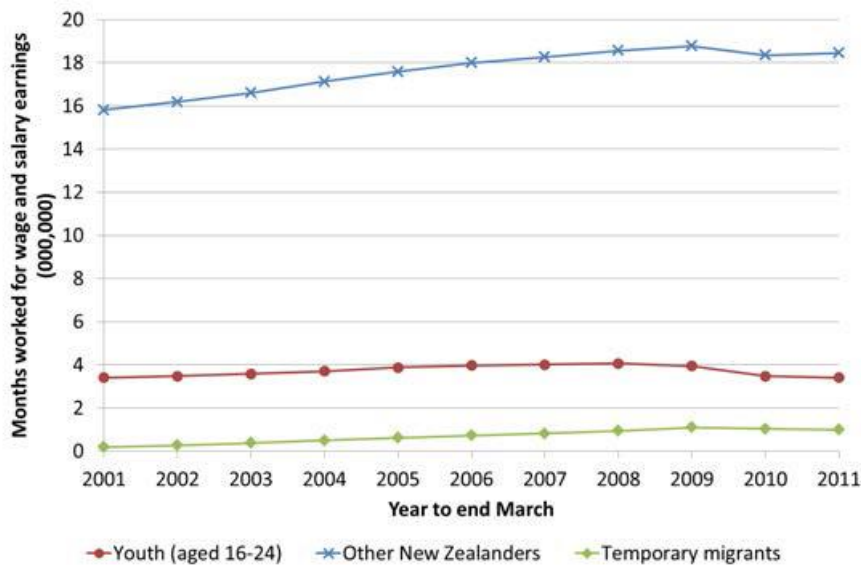


Figure 1: Number of months worked by temporary migrants, youth and other workers of New Zealand from the year 2001-2011 (Mcleod and Maré, 2013)

Figure 2 shows the wages received by temporary migrants, youth, and other workers in New Zealand for the years 2001-2011. The figure shows that wages received by the migrant workers lie between the wages received by other workers of New Zealand and youth. This difference in wages received can be due to the wage rates or working hours. In 2009 temporary migrants, youth, and other workers in New Zealand received the maximum wage rates compared to other years (Mcleod and Maré, 2013).

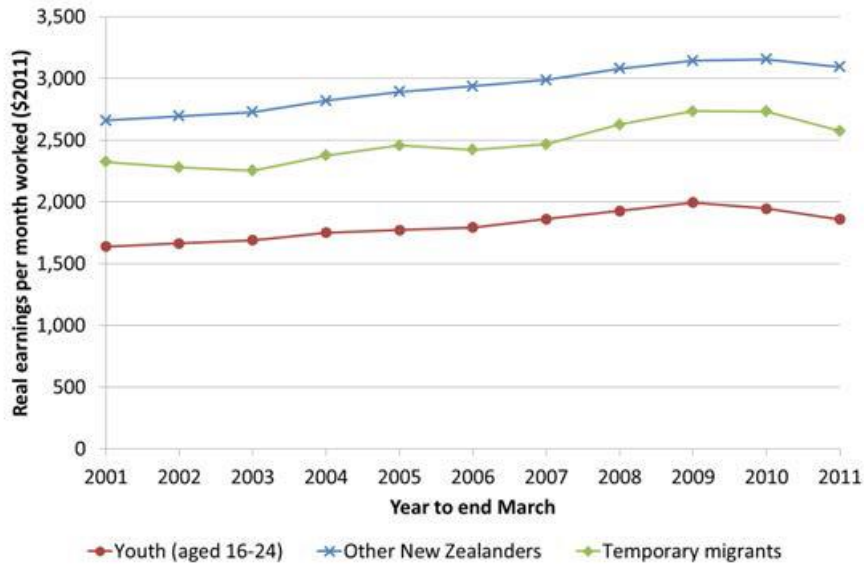


Figure 2: Wage rates received by temporary migrants, youth, and other workers of New Zealand from the year 2001-2011 (McLeod and Maré, 2013)

Figure 3 shows the trends in the hiring of temporary migrants, youth, and other workers of New Zealand during 2001-2011. It can be observed that only temporary migrant workers show a continuous increment, peaking in 2009, while other hiring rates have been on the decline.

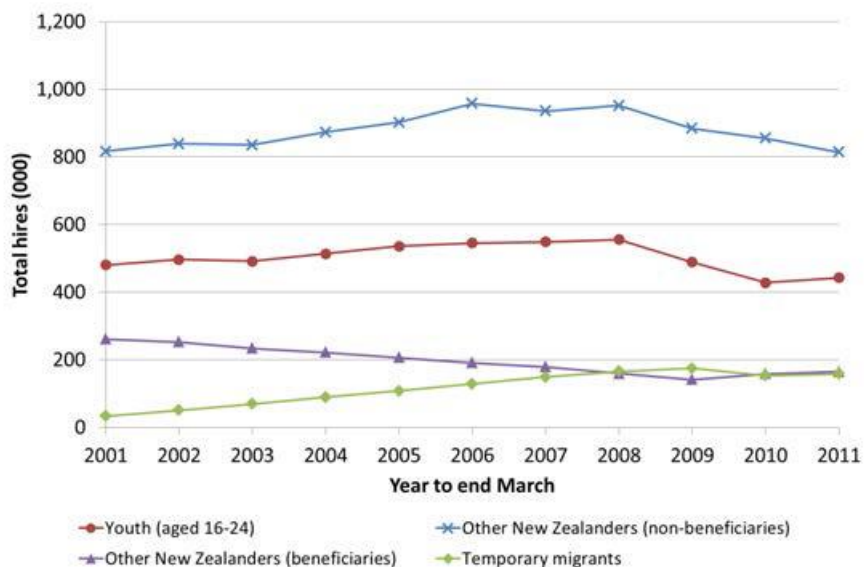


Figure 3: Hiring rates of migrants, youth and other workers of New Zealand from the year 2001-2011 (McLeod and Maré, 2013)

Figure 4 shows the ratio of the temporary migrants who worked in the different cities of New Zealand in 2011. It can be observed that Auckland, Otago, Bay of Plenty and Nelson, Tasman, Marlborough and the West Coast have the maximum share of temporary migrant workers in terms of working hours. These regions have large tourism and/or large horticulture sites (Mcleod and Maré, 2013).

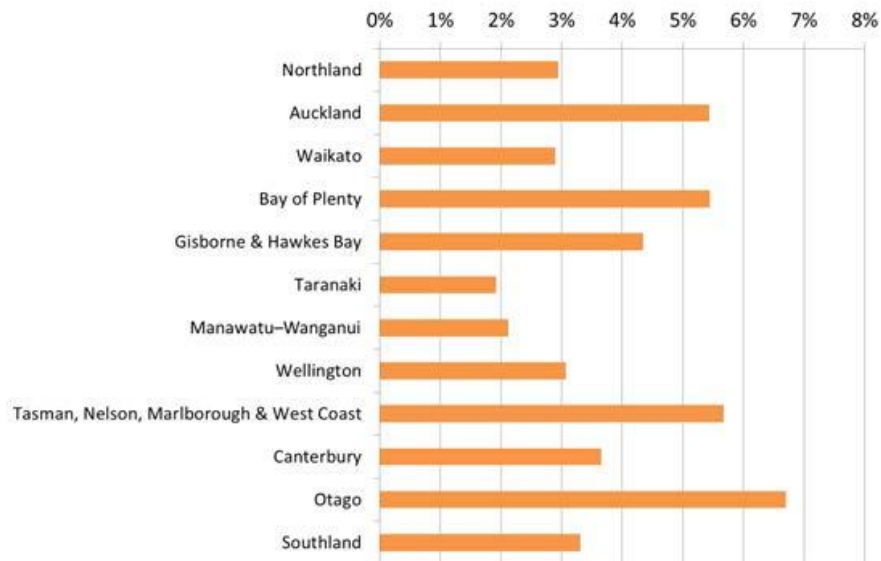


Figure 4: Temporary migrant worker distribution in different cities of New Zealand in the year 2011 (Mcleod and Maré, 2013)

Mcleod and Maré, 2013 also conducted analytical modelling to analyse the impact of different parameters such as regional variation, local industry variation on the temporary migrants' total employment, number of temporary migrant workers being hired and earnings of the temporary migrants. They finally concluded that there were no significant impacts on the temporary migrants, but some minor effects were observed, which may be due to the declining economy. They also concluded that there were no significant impacts on the New Zealand economy due to hiring temporary migrants (Mcleod and Maré, 2013).



McLeod and Mare, 2013 further analysed workers' exploitation in New Zealand, especially with regard to the migrant workers. The study investigated migrant workers' exploitation in construction, dairy, international education, hospitality, fishing, horticulture, and viticulture. It was noted that after the 2011 Christchurch reconstruction, exploitation of migrant workers came into the picture, as there was a requirement of around thirty-five thousand workers to re-build the city. Out of the thirty-five thousand workers requirement, 50% were migrant workers and migrant workers were asked to pay between \$3,000 and \$15,000 to get work on the Christchurch reconstruction site. These migrant workers were promised a maximum hourly wage rate of \$25. The paper also discussed the various types of exploitation that happen with migrant workers, including an excessive 18 hours' working shift, a lower wage rate than the rate at which the migrant worker had been hired, debit of amounts from migrant workers' wages for tax which was not paid to the government, disrespectful treatment such as verbal abuse, non-payment of holiday pay, no work contract, amongst others (Stringer, 2016).

McLeod and Mare, (2013) also found that some of the migrant workers lived in the most crowded locations and paid huge weekly rents. For instance, eight migrant workers were living together and each one paid a hundred and fifty-five dollars rent per week for accommodation. It was also observed that migrant workers were given a wage contract upon arrival in New Zealand different to the wage contract signed in their country of residence. Out of the 40 recruitment companies, 16 companies were caught for breaching the New Zealand employment laws. She also included one of Anthony Leigh's quotes: 'A job in New Zealand is almost like considering winning the Lotto, and as a result, it makes them quite open for exploitation, and I have concerns about them' (Stringer, 2016).

Friesen et al (2017) in his study, analysed temporary migrant worker exploitation in New Zealand. Their analysis aimed to determine the consequences of the exploitation of temporary migrant workers from the migrant workers' perspectives. They also targeted their study to find out the different stakeholders' views and vulnerability of the migrant workers. The various stakeholders considered were lawyers, representatives, and leaders of the migrant workers, communities, and unions representing the migrant workers. They considered migrant workers, lawyers, representatives, and leaders of the migrant workers, communities, and unions to be on the supply side. The employers, advisors from immigration, representatives of the industries were considered on the demand side. They identify three categories of migrant workers: migrant workers working on 'working holiday' visas; work visas for students and post-study students; and, 'essential skills' work visas. All three categories have different rights, advantages, and disadvantages. They found that most of the exploitation was of the employer-assisted based visa migrant workers and student-based visa migrant workers.

Different types of exploitation observed by them in their study were: no holiday pay, no approval of leave, deduction of the payment for taxes not actually paid to the government, low payment or wage rates, employer non-compliance as per the signed contract. Friesen et al. (2017) also observed that migrant workers were depressed, hopeless, felt exhaustion and suffered lack of sleep due to this exploitation. This even resulted in suicide attempts by some migrant workers. They also observed that some employers threatened to cancel their migrant worker immigration visas to have control over them. They also categorised the control mechanism utilised by these employers as three types; verbal abuse, disempowerment, and spatial control. They observed that some other factors also affect the exploitation vulnerability of the migrant workers, like lack of social and family connection and large debts undertaken by migrant workers in order to move to

New Zealand. They observed that migrant workers who are being exploited or have been exploited respond to these exploitations in 3 ways. They either quit their job, or take actions against the employer/company who is/are exploiting them, or contact the official government organisations. But out of all these three actions, quitting the job is widely and mainly observed. They quit their job either because they cannot bear any more exploitation or the job contract period is over, or the business is closed or terminated.

Sargeant & Tucker, (2009) also discussed the different factors observed by the supply side (lawyers, representatives, and leaders of the migrant workers, communities, and unions) that cause exploitation of the migrant workers. These factors are co-ethical dimensions, workforce marginalisation, assurance of residency, lack of employment rights knowledge, assisted visas, false assurance of residential status by the advisors and migration agents, and education. They contended that some methods could be applied to address these exploitations including greater penalties for the employer in case of migrant worker exploitation, monitoring of private training establishments, simplification of visa processing, proactive government agencies, providing support to migrant workers who have been exploited and promoting awareness programs on exploitation for employers and migrant workers.

Searle, Mcleod, and Ellen-Eliza, 2015 analysed the temporary migrant workers' vulnerability in the construction industry. They also observed that the total number of migrant workers decreased from 2008 to 2011, but that there was an increase in the number of migrant workers working in the New Zealand construction industries; typically, a 40% increase is observed from 2011 onwards. Figure 5 shows the type of migrant workers working in the construction industry in the Canterbury region based on their skill sets. There are four types of visas based on which kind of working is categorised: essential skills, working holiday, partnership-based, and

others. It can be observed from Figure 5 that the numbers of migrant workers working on 'Essential Skills' and 'Working Holiday' visas are the largest among all four categories, while the count of 'Partnership-based' and 'other temporary' visas categories increases at a slower rate than the other two. Their study also noted that some employers charge migrant workers for safety gear and health issues. Safety gear is required to work on dangerous jobs like handling asbestos materials. He pointed out that some migrant workers were not provided with the proper equipment and handling equipment needed to work on the job. He also noted that this type of bad behaviour is termed exploitation of the migrant workers.

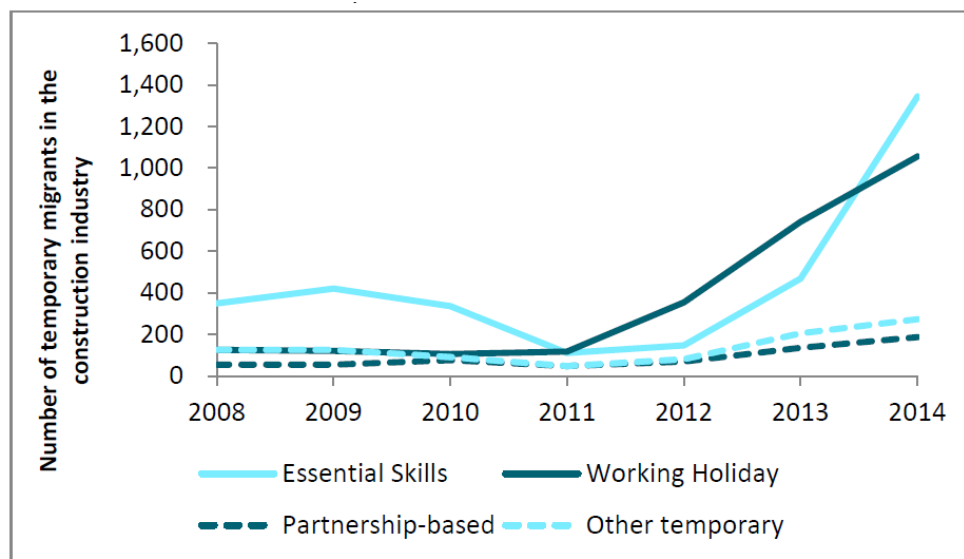


Figure 5: Type of migrant workers working in the Canterbury region construction industry based on their skill sets (Searle, Mcleod, and Ellen-eliza, 2015)

Figure 6 shows the type of migrant workers working in the construction industry based on their skill sets in other regions of New Zealand. It can be observed that, overall, the count of workers working in the construction sector has declined due to the 2007/2008 global economic crisis. The overall trend is negative, but a gradual rise in the count of workers is observed in the other temporary visa categories (Searle, Mcleod, and Ellen-eliza, 2015).

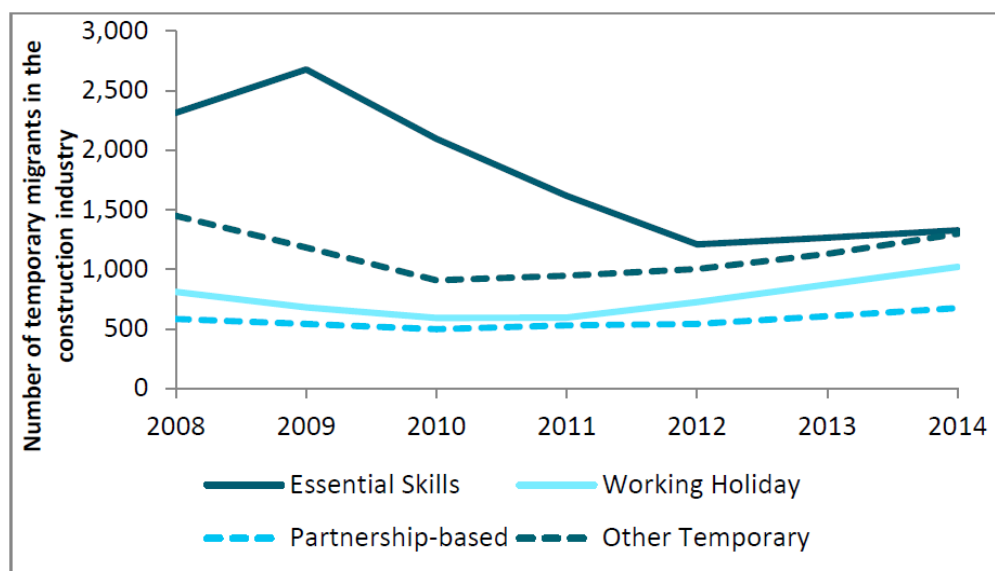


Figure 6: Type of migrant workers working in the construction industry based on their skill sets (Excluding Canterbury region) (Searle, Mcleod and Ellen-eliza, 2015)

Table 1 shows the number of the migrant workers in the construction sector based on their country of origin, working in the New Zealand construction industry in 2014. It can be observed from the table that the maximum number of migrant workers came from the United Kingdom, then from Ireland and then the Philippines. At the same time, the other regions have the most significant proportion of migrant workers, around 43%. Figure 7 illustrates the data from Table 1.

Table 1: Migrant workers count based on their source country (Searle, Mcleod, and Ellen-eliza, 2015)

S. N.	Migrant workers' country of origin	Percentage of the migrant worker
1. 0	Other	43. 2 %
2. 0	United Kingdom (UK)	22. 4 %
3. 0	Ireland (island in the North Atlantic)	9. 9 %
4. 0	Fiji	9. 8 %

5.0	Philippines	9.3 %
6.0	Brazil	2.9 %
7.0	Germany	2.4 %

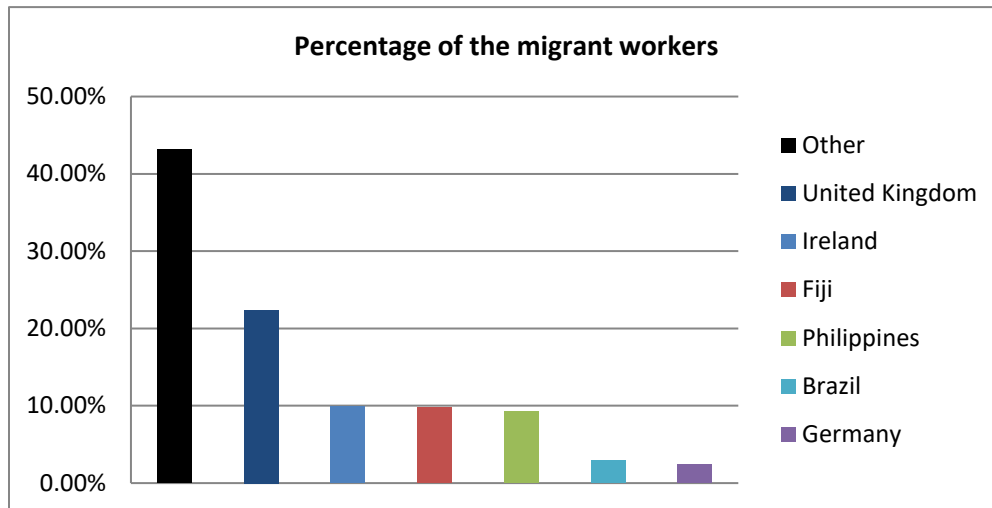


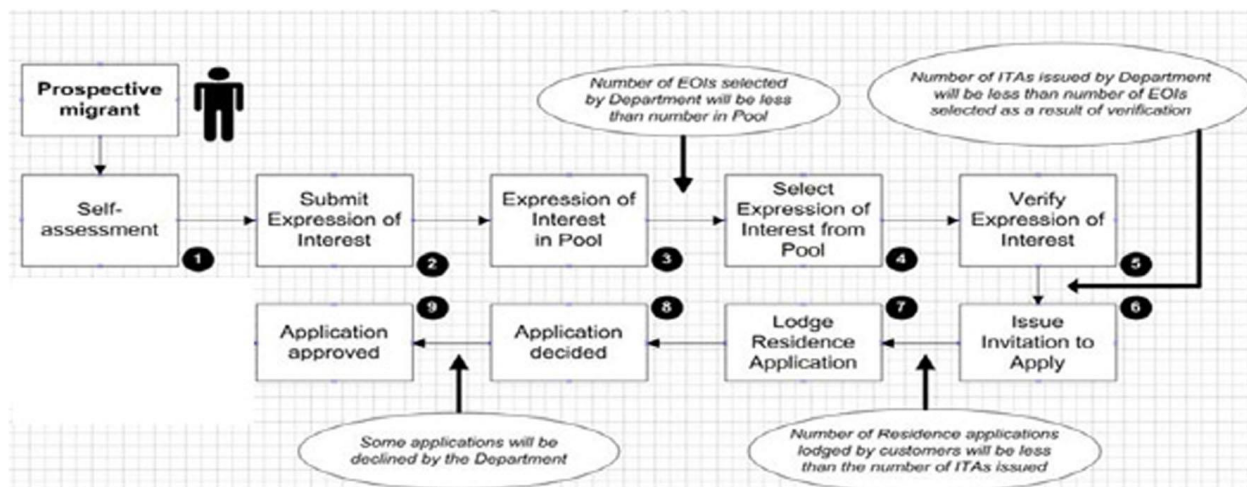
Figure 7: Migrant workers count based on their source country (Searle, Mcleod, and Ellen-eliza, 2015)

Srouf, Srouf, and Lattouf, (2017) focused on migrant labour in the construction industry with specific reference to New Zealand. The migrant labour markets are ever on the rise over the recent past globally due to several reasons and factors and New Zealand is no exception. These groups of workers come with highly specialised skills, experience, and knowledge that tend to improve the quality of the construction industry in host nations. The entry of these workers into construction markets of such countries is not devoid of challenges that result in the vulnerability of these workers, which in turn affects their productivity. The eligibility screening for this study was carried out with migrant workers in New Zealand being the only industry (Kim, 2014).

Studies by Stringer (2018); Morrah (2019); Hollingworth (2019); Cleland and Burns (2015) stated that the treatment of migrant workers in New Zealand is not good. They also talked about the various issues faced by the migrants like safety and health concerns, housing issues, wages,

and contracts. They also stated that migrant workers have fewer work hours, a lower average day of work, and inflated price of rent and housing. They also discussed those migrant workers who were charged excessively for the migration process and low pay rates. The study also reveals that migrant workers were initially given a 90-day trial period to work; this resulted in the employers having control over the migrant worker, which resulted in further exploitation. Other studies also reveal that migrant workers were exploited because they had no work and it was challenging to find jobs. This resulted in migrants accepting a low position under the employer who was intentionally using them.

Iqbal (2017) analysed the working experience of those migrant workers working in New Zealand who have high essential skills. He examined the effect of immigration on the competitiveness and economic growth of New Zealand. In his study, he suggested that skilled employees are ten times more valuable for the country's economic growth than employees who do not have any essential skills. Figure 8 shows how qualified employees are hired. It can be observed that hiring and approval of application procedures of a migrant worker for an essential skill work are very robust. They targeted their study in two sections to analyse the experience of the migrant workers, social integration and professional integration, and motivation for migration.



#### Figure 8: Hiring process of the skilled employees

Gregory, (2013) found that most of the migrant workers come to New Zealand because of the following reasons: New Zealand is relatively corruption free, has a rich nature of racial harmony, a robust health care system, a good balance of life and health, and a good quality of life compared to the other OCED countries. He also argued that migrant workers come to work in New Zealand because of political stability and personal safety, future and education of their children, good opportunities for jobs. Gregory, 2013 noted that New Zealand has the lowest rate of corruption; the corruption perception index (CPI) of New Zealand is the lowest as reported by Transparency International.

Results obtained by Iqbal (2017) are consistent with those obtained by Dontsov and Zotova (2013). Iqbal, (2017) in his work he also stated that settlement and integration are the most frequently used words. The literature shows that the settlement is the first step that helps in getting integrated. He concluded that four issues arise in the migrant workers' professional integration: the difference between the cultures and living style of migrant workers and the host countries, having less experience and fewer contacts in New Zealand, discrimination and exclusion and intercultural communication. He concluded that migrant workers are not able to properly communicate with the employer and higher authorities due to language issues, which impacts on securing the job for the skilled migrant workers. Iqbal (2017) found that migrant workers were hoping for an excellent job based on their qualifications and experience. But on arrival in New Zealand, they were told that their experience was not worth the job they were looking for, or sometimes they were told that they were overqualified for the job. Due to the above reasons, most migrant workers have to start from the scratch-level jobs, which sometimes results in losing their peace of mind or feeling depressed and unhappy.



Harvey (2012), analysed the experience of skilled British migrants in the labour market. In this study, he stated that what migrant workers experienced in their work was mistreatment based on their gender, skin colour, or language just the same way in the previous discussed studies. The discrimination and mistreatment may however come in different forms and magnitude.

Henderson (2015) analysed the experience of the migrant workers in New Zealand, especially in Auckland. He found that, despite the government efforts and other initiatives, the condition of the migrant workers in New Zealand was not improving. He also stated that after selecting the migrant workers, they were told to settle by their own efforts and take full responsibility for it; they were also told to take responsibility for their family members if any. He concluded that employers and the New Zealand Government are/were looking for migrants and have also designed the recruitment policies to settle people in quickly. He further observed that settlement is treated as a short-term process while integration is treated as a long-term immigration process.

Fletcher (1999), in his study, contended that various factors affect the economic integration of migrant workers. These different factors are; lack of English speaking skills, work experience and qualifications, among others. These factors also affect the acculturation and proper settlements of these migrants in New Zealand. Winkelman, 1988, in his study, observed that there was discrimination in the hiring of migrant workers based on their skin colour and English-speaking skills. The study also reveals that migrant workers are given a lower wage rate for entry-level jobs despite having the experience and qualifications. It was also found in the literature that migrant workers have endured discrimination due to their accents despite having good speaking skills.

Figure 9 shows the distribution of the construction workers working in New Zealand. It can be observed that workers working on work visas have increased 18 times from 2000 to 2018.



Figure 9: Distribution of the construction workers working in New Zealand

#### Gaps in the existing literature

The following gaps were identified from the reviewed literature:

- There was no clear definition of who a migrant worker is. Most of the papers relied on a pedestrian definition that a person who leaves his or her country to work in another nation is a migrant worker. This may not be true especially if an international company with branches in multiple places in the world transfers its staff to other countries. Are the transferred persons migrant workers in the context of the issue addressed in this paper? Certainly not.
- While the literature also tries to address mitigation measures that can be applied to discourage exploitation of migrant workers, there is no evaluation regarding the success

rate of these mitigation measures. That is, no study has been conducted to ascertain whether these methods are effective in helping to address issues concerning migrant workers.

These gaps form the underlying rationale of conducting this study as it will enable a better understanding on the gaps and much more. Based on a short review of the literature, the following research questions are formulated and will guide the dissertation.

- What are the working experiences of migrant workers in the New Zealand construction industry? This question seeks to ascertain the general affairs of migrant workers. Although most of the experiences will be construction-based, other non-construction-related instances may be delved into since the productivity of an individual may be affected by factors outside the work environment.
- How are the migrant workers exploited in the New Zealand construction industry? This question will look at the avenues where migrant workers face discrimination and exploitation. The various forms of exploitation and abuses by their employers and other New Zealanders will be evaluated through this research question.
- How does the exploitation of and discrimination against migrant workers in the New Zealand construction industry affect their safety, health, and wellbeing? The effect of the discrimination covered in the research question above on the overall performance of the migrant workers will be evaluated.
- What are the strategies that can be used to mitigate such discrimination and exploitation?

The smart art representation of the research questions is as in the pyramid below in Figure 10 and has been done according to the weighting attracted by each research question.

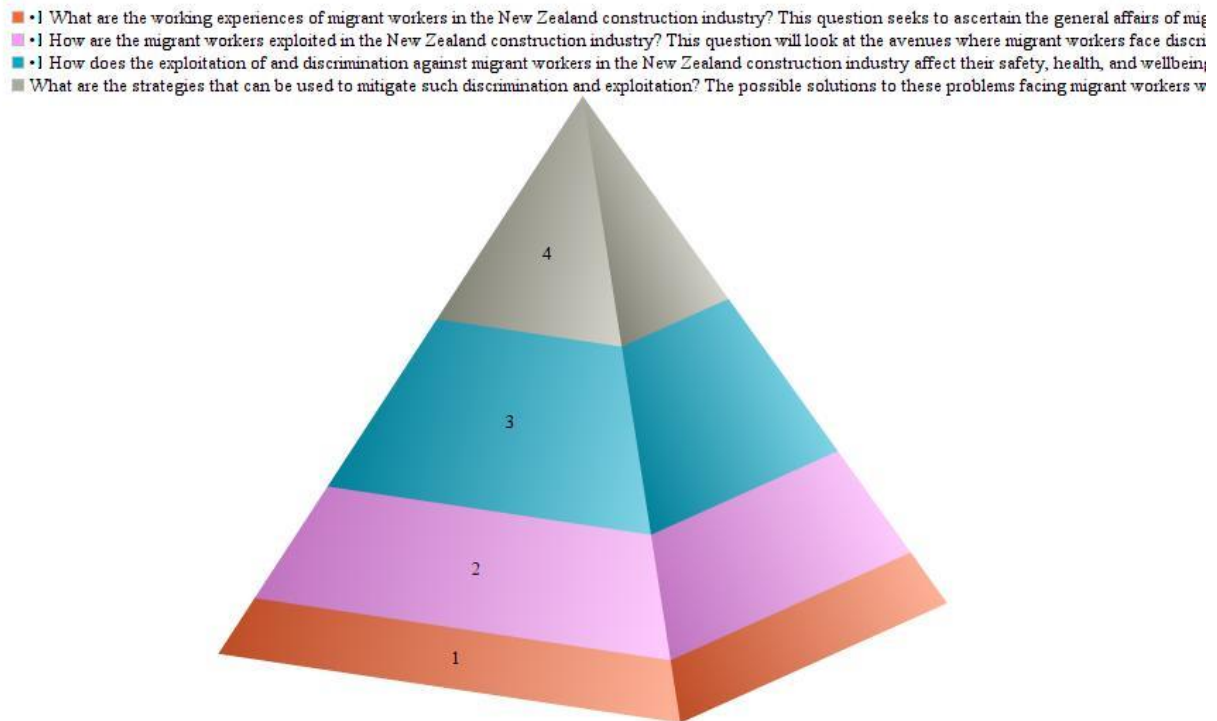


Figure 10 Illustration of the weighting attracted by each research question

### Summary

From the literature review, it has been found that the exploitation of temporary migrant workers is happening on a modest scale. However, temporary migrant workers across all sectors, including migrant workers in the construction sector, face various types of exploitation like having high levels of debt on arrival in New Zealand, high level of complexity in immigration-related issues, high expenses, lower rates of pay, uncertainty in the working hours allocated. There are also instances of debit of an amount from the migrant worker wages for tax which is not paid to the government, disrespectful treatment and verbal abuse among others. It was found that wages received by the migrant workers lie between the wages received by other workers of New Zealand

and youth (for the year 2011). It was also found that migrant workers lived in the most crowded locations and paid exorbitant weekly rents. Lawyers, representatives, and leaders of the migrant workers, communities, and unions of the migrant workers support the migrant workers are considered the supply side and the employers, companies, businesses that exploit migrant workers come under the demand side.

Another finding is that migrant workers have also come up against discrimination due to their accents despite having good speaking skills. Various factors which affect the economic integration of the migrant workers are lack of English-speaking skills, work experience, qualification, among others. These factors also affect the acculturation and proper settlement of the migrants in New Zealand and that settlement is treated as a short-term immigration process while integration is treated as a long-term immigration process. Discrimination in the hiring of migrant workers based on their skin colour and English-speaking skills was also observed. The study also reveals that migrant workers are given a lower wage rate for entry-level jobs despite having experience and qualifications. Some migrant workers were hoping for an excellent job based on their qualifications and experience. Still, on their arrival in New Zealand, they were told that their experience was not good enough for the job they were looking for, or sometimes they were told that they were overqualified for the job. Due to this, most migrant workers have to start from scratch in a low-level job, which sometimes results in losing their state of mind or in depression and unhappiness.

## **CHAPTER III: RESEARCH METHODOLOGY**

### **Introduction**

The previous section covered the published literature on the plight of migrant workers in the construction industry in many places around the world and in New Zealand. While it was noted that the issues faced by the migrant workers may vary from country to country, one thing was clear; they all point to discrimination against migrant workers in the construction industry, in one way or another. The review of literature also presented the different forms of discrimination of these migrant workers. It was noted that the level of discrimination depended on the host country's regulations and laws governing migrant workers. Several instances of disregard of these laws were also noted. To evaluate these assertions, this chapter focuses on the data available for New Zealand.

### **Methodology of the research**

Research methodology is the science of methods used for carrying out research. It has been explained by various researchers, among them Kothari (2011), to be a systematic approach comprising enunciation of a problem, formulation of hypotheses, data collection, analysis of findings and driving toward an inevitable conclusion forming components of problem-solution which was being studied (Moyce, and Schenker, 2018).

In order to tackle the research questions, a systematic literature search and critical review were appropriate for this small study (Rasmussen, Foster, and Farr, 2016). A literature review incorporates critical analysis of published content within a chosen subject matter. Callahan (2014) describes the characteristics of the literature review using five Cs, including contributing, concise, critical, clear, and convincing. Each of the five Cs have been applied in this literature review, taking note of the general themes, key debates and strengths and weaknesses of the research and specific studies, (Chiou, 2017). The literature review drew on both descriptive and explorative studies. Explorative research is geared toward delving into a given phenomenon by attaining new

insights into a given research problem and hence is aimed at familiarising the researcher with investigating and carrying out the fieldwork for future research (Callahan, 2014).

Descriptive research, in most cases, is suited to situations where the research problem structure is aimed at identifying links between given events Charef et al., (2019). Descriptive research is geared towards general remarks on a shared empirical basis and might attain that with qualitative, quantitative, or mixed strategies Walmsley et al., (2015). The collection of data to describe events is customarily incorporated. Hence, data analysis must be organised or planned in various forms, including graphs, pie charts, or tables Chiou, (2017).

Studies on the different issues which migrant workers in the New Zealand construction industries are experiencing were critiqued. Other types of exploitation faced by the migrants, and the cadre of migrants facing these issues, are also reviewed and discussed. The review also ascertains how these issues impact on health, safety, and wellbeing of migrant workers. A descriptive research approach was selected for the research question as an analysis of various findings on different groups of migrants is perceived as the most vulnerable through evaluating multiple groups Walmsley et al., (2015).

A number of sources of relevant material were used for this study. A standard selection criterion was used to identify which sources of literature were to be included and those to be excluded in the review, as listed below:

#### Inclusion criteria

- Academic reviewed journal articles
- Published between 2010 and 2021
- Construction sector focused
- Migrant labour market oriented

- Safe, decent, and fair working conditions for migrant workers
- Written in English

#### Exclusion criteria

- Student papers
- Non-academic articles and secondary data
- Conference and proceeds from meetings
- Blogs
- Wikipedia
- Interviews

Various search engines (for example Google Scholar) were used to locate highly cited articles about migrant workers, the migration labour market, migrant workers in New Zealand, among others (Press et al., 2018). The reports were filtered to eliminate irrelevant content articles, non-journal articles, non-industrial groups, and duplicated articles. The first literature search found 456 pieces, out of which 96 were non-journal and pre-published reports, so they were eliminated. Thirty-two data sources were found to be duplicates, and 176 documents were found not to be in tandem with the inclusion criteria.

In this literature review, Google Scholar was used as the primary source and an example of the material used in this dissertation is as follows:

Table 2: Journals accessed through Google Scholar.

Title of the journal/scholarly source
Stringer, C. and Michailova, S. (2018). Why modern slavery thrives in multinational corporations' global value chains. Multinational Business Review.



<b>Title of the journal/scholarly source</b>
Searle, W., McLeod, K., & Stichbury, C. (2015). Vulnerable temporary migrant workers: The hospitality industry. Ministry of Business, Innovation & Employment Hikina Whakatutuki.
Stringer, C., Hughes, S., Whittaker, D.H., Haworth, N. and Simmons, G. (2016). Labour standards and regulation in global value chains: the case of New Zealand Fishing Industry. <i>Environment and Planning A: Economy and Space</i> , 48(10), pp.1910-1927.
Maré, D.C. (2018). The labour market in New Zealand, 2000-2017. <i>IZA World of Labour</i> , (427).
Kim, A.E. (2014). Global migration and South Korea: Foreign workers, foreign brides, and the making of a multicultural society. In <i>Migration: Policies, Practices, Activism</i> (pp. 79-101). Routledge.
Anderson, D. (2014). Are vulnerable workers really protected in New Zealand? <i>New Zealand Journal of Employment Relations</i> , 39(1), 52-67.
Lamm, F., Moore, D., Nagar, S., Rasmussen, E., & Sargeant, M. (2017). Under pressure: OHS of vulnerable workers in the construction industry. <i>New Zealand Journal of Employment Relations</i> , 42(2), 39-60.
Srour, F.J., Srour, I. and Lattouf, M.G. (2017). A survey of absenteeism on construction sites. <i>International Journal of Manpower</i> .
Searle, W., McLeod, K., & Ellen-Eliza, N. (2015). Vulnerable temporary migrant workers: Canterbury construction industry. Ministry of Business, Innovation & Employment Hikina Whakatutuki.
Stringer, C., Simmons, G., Coulston, D., & Whittaker, D. H. (2014). Not in New Zealand's waters, surely? Linking labour issues to GPNs. <i>Journal of Economic Geography</i> , 14(4), 739-758.
Yuan, S., Cain, T., & Spoonley, P. (2014). Temporary migrants as vulnerable workers: A literature review. Innovation and Employment, Government of New Zealand, Wellington, March: Ministry of Business.

Proper sourcing of the relevant research was the beginning of the process of analysis. Reporting as well as summarising data were the next vital steps. The findings tend to be quite integral to this part, as all the journal articles linked to the research topic are combined into a systematic literature review. Analysis of data was attained through the use of various approaches. For comprehensive purposes, research needed not deploy just one method to limit the extent of

analysis. The data analysis process incorporated shifting, grouping, and mapping the collected data through various techniques best suited to the specific research (Schweder et al., 2015).

The thematic data analysis approach was used in collecting the data. The themes for this analysis included: migrant workers and exploitation and discrimination of construction workers. These themes were developed in line with the topic of the study; the challenges facing migrant workers in the New Zealand construction sector. The most appropriate information on this topic was derived from the literature reviewed based on the underlying theme of the paper. For example, if a paper mostly talks about problems facing workers in the construction sector, then most likely this paper may not be necessary for this topic. However, if a paper discusses on issues affecting the performance of migrant workers in the construction industry, then it is most relevant to the topic of study. Through this 'laser' focus ideology, concise deductions and reasonable assumptions have been made in answering the research questions. This could have otherwise been a tall order.

This approach of thematic analysis offers thorough as well as descriptive information regarding the database. The process incorporates a method in which interpretation and synthesis of data are done through sorting, charts, and sifting, based on significant issues. The more comprehensive perception of data analysis was deployed to make sure the outcomes of the review were not only within context but also the methodology was relatively easy to understand for the intended audience of the report.

From the literature review, the key themes were formulated as issues on the plight of migrant workers including the challenges facing them, the various forms of exploitation they are going through, the regulatory practices with regard to them and advocacy groups formed on their behalf. These themes were reviewed in the context of the research topic and extrapolated to New Zealand in instances where it was not referenced directly. The decision on what is important for

the research was made based on these underlying themes specifically in relation to New Zealand. These themes relate to the research questions in that they seek to integrate, in a bid to draw logical conclusions from the issues around migrant workers.

### Summary

This chapter covered the methodology that will be used in collecting the data necessary for this study. A systemic literature review, coupled with a critical critique and review were formulated as the most appropriate form. Different issues facing migrant construction workers are to be evaluated based on the aims and objectives of this paper. The inclusion and exclusion criteria to be used are clearly outlined in the preceding sections. The findings of this paper will be elaborated in the next Chapter.

## CHAPTER IV: FINDINGS AND DISCUSSIONS

### Introduction

The previous chapter was about the research methodology necessary for this study. A blend of a systemic literature research and a critical review and critique was proposed. This will provide a comprehensive review of the issues affecting the migrant workers in New Zealand. From the methodology, the data obtained will be displayed and discussed in this chapter. The discussion will be done on the borderlines of the research questions formulated.

- How are the migrant workers exploited in the New Zealand construction industry? This question will look at the avenues where migrant workers face discrimination and exploitation. The various forms of exploitation and abuses by their employers and other New Zealanders will be evaluated.
- How does the exploitation of and discrimination against migrant workers in the New Zealand construction industry affect their safety, health, and wellbeing? The effect of the discrimination covered in the research question above on the overall performance of the migrant workers will be evaluated.
- What are the strategies that can be used to mitigate such discrimination and exploitation?  
The possible solutions to these problems facing migrant workers will be addressed.

### Research Question 1: What are the working experiences of migrant workers in the New Zealand construction industry?

In conducting a literature review on existing articles and journals on migrant, construction, employment and working experiences in New Zealand, it is saliently apparent that migrant worker's experiences and conditions of working in New Zealand tend to be devastating. Still, based on reviewed material in this study, numerous broad migrant workforce trends and commonalities in other countries regarding the experiences and roles of migrants within construction can be noted

(Chan & Selden, 2017). General trends of an increase in polarisation of income, de-unionisation, and sub-contracting can be noted sector ally across the whole of the New Zealand construction industry.

There a great number of reports which tend to have common themes of pay, accommodation and regulation of the lives of migrants in New Zealand and are related in general to other sectors employing precarious workers at all levels from professional to low-paid work in subcontracting chains Chang-Richards et al. (2017).

Nevertheless, it should be emphasised that such government anti-discrimination efforts have also to be multi-agency; not just national government of NZ but state and provincial bodies as well as local authorities both in the destination and the origin nations have to play a crucial role in harmonisation and transformation of policies, practices and regulations in local territories (Kukutai and Rata, 2017). Such efforts might be in the range of enhancing the relations between local police forces and construction migrants and improving the local oversight of recruitment practices within home towns of migrants and an extension of access of migrants to municipal, regional, or even provincial social welfare programs Moyce & Schenker, (2018). This can be beneficial by standardising the recruitment process, making the migrant workers gain confidence. On a similar note, greater enforcement is required to change sub-national practices and frameworks that would criminalise the immigrants or even exclude them from the protection necessary for the safe exercise of their rights when at work and residing in New Zealand Tham, Campbell & Boese, (2016).

There have been expectations, shared by employers and the community at large, that there is a need for some enforcement on matters concerning the safety and health of workers even if just to come up with applicable minimum standards and ensure the errant violators are punished Lamm,

(2009). The explanation for such protective legislation, besides its enforcement, might be noted in numerous ways. In the first instance, the management might perceive the health and safety of deployed labour to be of minimal importance and deliberately fail to offer adequate protection for employees upon the emergence of competitive pressures (Zhou et al., 2015).

Employees in competitive environments tend to have significantly less power when protecting themselves, specifically in cases where there are many unemployed workers and weak unions Gravel, Rhéaume & Legendre, (2011). Lastly, enforcement is how organisations or even people might be held responsible for their actions or inactions. Fineman (2008) noted that the state should make sure institutions and the structures that it controls have neither disproportionate benefits nor disadvantages to some community members.

There is nevertheless no central bargaining council adopted in the building industry in New Zealand. Employees in the construction industry, migrant workers, are typically given two weeks' annual leave for every year of employment, with ten of those days being taken during the December shutdown Kukutai and Rata, (2017).

Employees are entitled to sick leave allowance and also funeral cover. This is not for all the migrant workers though since very few of them are covered by collective agreements. Most of them are on an employment agreement. However, only full-time employees are permitted to have such leave benefits along with those on limited contract durations. Temporary workers are entitled to only sick leave which is, in most cases, unpaid, and discriminatory against migrant workers where the highest percentage have temporary work permits. More essential benefits, including pension cover and medical insurance, are not covered in ~~Aet~~ the ERA Act despite any sectoral arrangements. ERA Act provides for contributory retirement and cover on medical aid for

construction employees in which the employer contributes to part of premiums (Young et al., 2014).

A further challenge faced by the migrant construction workers in New Zealand is antagonism towards them because they are foreigners. Recent research has evaluated the attitudes towards the absorption of migrant workers within the construction industry by their employers and local peers (Connell, 2015). Interviews were carried out with contract managers and local workers on five various construction sites. The study's findings established there were numerous instances of intimidation, including bullying, name-calling, and general disrespect towards the migrant workers by their local counterparts. For example, it is not uncommon to see migrant workers deliberately given heavy tasks while local workers handle lighter ones.

The interviews established that the behaviour towards migrants result from the migrant workers carrying out assigned tasks quicker and hence this is used as a benchmark by the employers as to the efficiency expected from the workers in performing the various functions Loosemore & Lim, (2016). Antagonism was noted to be most evidence towards the African workers since they are the ones who are perceived to be most foreign. Still, some contractors were found guilty of intimidation even though such was not general (Kelsey, 2015). The research concluded that negative behaviour towards migrant construction workers in New Zealand tends to be rife at grassroots levels even though it is not sanctioned by companies and is plays a minimal role in preventing migrant construction workers from finding work.

Numerous challenges face the migrant labour organisations in New Zealand Nel, (2017). Nevertheless, with workplace accidents leading to death for migrant workers being on the rise, organization of migrant and other vulnerable workers tends to be integral. New Zealand has specifically low collective bargaining coverage and employment protections (Nel, 2017). The

construction sector has some of the most outstanding self-employment levels compared to other countries in the Pacific region (Zhao, 2018).

Historically, trade unions in New Zealand have a specific interest in the welfare of workers, including migrant workers, seen for example in collective bargaining. However, collective bargaining coverage tends to be low. Moreover, Strike, (2016) notes that many migrant workers are afraid of joining unions even though they hope to express their concerns from a united front (Wahab and Abel, 2016). Such fears, nevertheless, have not manifested as exclusivity in unions in New Zealand. Instead, Fitzgerald (2009) and Tipples, Rawlinson & Greenhalgh, (2013) illustrates that the organisation of labour tends to include all foreigners irrespective of their sector of work and is not necessarily limited to construction.

Other related studies on transnational citizenship for construction migrants in New Zealand have proposed that national unions' ability to protect migrants within the construction industry tends to be increasingly ineffective, specifically as posted by workers in firms are being sent to nations with entirely different sets of rights benefits. Greer et al. (2013) noted that access to migrant workers on home country via subcontractors tends to be an adequate substitute for off-shoring labour to low-income nations. Efforts to improve industrial citizenship for construction migrants in New Zealand have remained a significant challenge due to negativity towards the migrant workers (Brickenstein, 2015).

## Research Question 2: How are the migrant workers exploited in the New Zealand construction industry?

There is growing evidence that often migrant workers are vulnerable to poor conditions of their work or even their experiences Sargeant & Tucker, (2009). Exposure is linked explicitly with the precariousness of employment, even though an underlying conclusion should not be made that all



temporary migrant workers tend to be vulnerable Quinlan, (2018). Not all of them suffer from the various vulnerability disadvantages at their place of work. Local and international literature alike depict that precarious worker are more likely to be women, the young, the uneducated, and the low-skilled. Being such a migrant tends to exacerbate vulnerability (Brickenstein, 2015).

Numerous studies and reports identify the capacity to communicate and speak in English in an English-speaking nation like New Zealand as an important factor contributing to workers' vulnerability. The effects of poor skills in English tend to be far-reaching Loosemore et al. (2018). Of specific concern is the ability of migrants to comprehend the contracts of employment, to abide by the instructions and read the warning signs located at the place of work, to communicate with fellow workers, and manage communication of workplace concerns or even to gain access to various recommended legal protections Tham, Campbell & Boese, (2016). This is reflected by employers' concerns about or even discrimination towards the construction migrants who either cannot speak English or do not have English as their first language.

A few employers might ensure there may be the availability of education in the English language for employees, however the long term workers generally insinuate that migrants have a tendency to be both not able, or may be unwilling, to utilise such programmes (Docquier, Ozden, and Peri, 2014). A concern related to that is that the workers who do not speak English as their first language tend to share similar cultural expectations regarding employment relations. For instance, compared to relatively flexible work settings within New Zealand, certain national groups tend to have a somewhat more hierarchical employment anticipation of the relationship between the employer and employees Berg, (2015). Immigration New Zealand has generated multilingual brochures specific to the industry to aid new arrivals in comprehending such cultural variations.

Family obligations to send savings back home: - Remittances are commonly connected with to movement, excursion, and relocation. Migration from various low-pay source nationals by and large will be a family project Edwards & Trafford, (2016). Advancing the family's monetary circumstances is normally an imperative push factor for transient labour forces, which generally comprise low-talented workers (Bhagat et al. 2020). This may incorporate proceeding with assumptions about remittances for supporting families back in the nation of origin, and a few countries' economies are reliant upon such settlements Edwards, P., & Trafford, (2016). For example, settlements to the Pacific region are approximately assessed by the World Bank and are estimated at more than US\$170 million every year, and this estimate excludes approximately half of the instalments which are made through casual channels Petrou & Connell, (2018).

Remittances from migrant workers account for an average of 12% of the GDP for Pacific Island countries. Transitory migrants dispatch a higher proportion of their earnings compared to those transmitted by long-term travellers. For example, the mean net settlement returns for Recognised Seasonal Employer laborers from New Zealand between September 2007 and July 2008 were between \$1,704 and \$16,413, with a mean of \$6,079. Of the prominent nations, Tonga and Samoa are among the main recipient countries (Dobrowolsky, 2016).

Other than settlement commitments, obligation needs is a great factor that could create financial responsibilities to the nation of origin. Where families have additional expenses or have to settle charges for labour agents, transient specialists, particularly those of Indian origin, commonly feel committed to help with dowry for youthful sisters, residence costs for parents, or education and training expenses for kin (Anderson, D., and Naidu, 2010; Anderson, Lamare and Hannif, 2011). Transients from nations where such cultural assumptions apply are probably going to encounter disgrace when they can't meet such commitments (Platt et al., 2018).

### Exploitation in other sectors

One category of young foreign temporary skilled workers in numerous OECD nations is working holidaymakers. A study conducted in Australia of a random sample of 1,298 working holiday makers deduced that 78% of those employed served in a field that needed soft skills. The primary occupants cited were fruit-picking, office secretarial work, waiting, elementary service work, and labouring and associated work. Some workers received payments made in kind, for instance, board and lodging (Connell, 2015). The study established that working holidaymakers were able to develop work opportunities whereas local youths were not employed. Employers interviewed for this research believed that the former tended to be more motivated, more prepared to migrate for work, and more likely to avail themselves to work.

A study in New Zealand of 220 self-chosen participants showed the exact figures. 50% of participants, on average, spent at least 60% of their time working (Stringer and Michailova, 2018). The leading areas of paid employment included agriculture, hospitality, fruit picking alongside backpackers or even hostel workers. A large fraction of them was likely to work in Auckland, Canterbury, Bay of Islands, Otago, Nelson and Hawke's Bay. The participants received an hourly pay rate ranging from \$3 to \$75 and had mean hourly take-home pay of \$12.78 (determined by including eight unpaid volunteers). Fifteen percent of the 220 participants revealed they were being paid \$8 or even less hourly, with most of them working in the range of 31 to 40 hours per week. Another 15% received their payment in cash and hence were assumed not to be paying taxes, and around 20% were not receiving pay slips. The intersection of soft skills and migrant status exacerbates vulnerability at work (Stringer and Michailova, 2018).

### Women

Women usually are identified to be a particularly vulnerable migrant group. Numerous factors are at play in contributing to the feminisation of migration: overall workforce feminisation, an increase in the number of women who migrate independently, economic differences between developing and developed economies, and a general change in the direction of the service industry. The immigration industry usually aims at women to meet specific needs within the labour market and is often a creator of sophisticated female migration patterns during interaction of gender with occupations and nationalities. The ever-increasing involvement of women in the capacity of overseas contract workers in specific tasks, including domestic help, nursing, and giving care to the aged, offers a case in point.

The primary source nations of these occupations include Thailand, the Philippines, Sri Lanka, and Bangladesh. Whilst male construction migrant workers might be vulnerable to exploitation, triple discrimination typically occurs for the case of migrant women since their roles as migrants, being women, and the incapacity of precarious workers often intersects. Migrant women might encounter a labour market segregated on gender and race and usually find themselves at the lowest end of occupational strata (Howden-Chapman, 2015).

A study conducted by Hundt et al. (2019) on gendered migration trends also shows that migration might lead to challenges for women even though they can act as an external agent of change or as an empowerment catalyst. For instance, the social implications of migration from patriarchal societies to industrial nations, from the rest of the Pacific to New Zealand, tend to vary between men and women. In some instances, the status of a woman might be lifted up as a result of taking part in waged work away from home for the first time (Weitzer, 2015). The flip side of that is encountering new challenges and difficulties, for instance, double shifts.

For instance, a study conducted by Lerner (2019) on Samoan migrant women established that in cases where the husband and wife are both in paid work, it is often the case that women work during the night shifts to have an opportunity to attend to their children as well as household matters during the day time. Since this study was conducted over 20 years, the different expectations levied upon female temporary migrant workers regarding domestic responsibilities are not likely to have changed since the completion of the study (Maydell, Diego-Mendoza, 2014).

There is extensive literature supporting the premise that female migrants tend to be more vulnerable than their male counterparts when considering the same occupation or ethnic group. A study in Canada illustrates the vulnerability of female migrant workers within a male-oriented and employer-driven seasonal framework. However, there has been an increase in the number of women on such programs in the recent past, primarily single mothers from various impoverished rural societies Petrou & Connell, (2018).

Government-controlled guest worker programs provide a legal platform for securing income and protection of women migrants to some degree (Kosny, Santos, and Reid, 2017). Women have to outshine their male counterparts to maintain their jobs, renew their contracts every year, and are exposed to substandard and exploitative working conditions. The repatriation threat for these women is always present. For instance, it might occur due to pregnancy, getting into a relationship with a male worker, or even for briefly leaving the working area without seeking permission (Kosny, Santos, and Reid, 2017).

Gender discrimination in the sending/origin nations also implies that women might be expected to engage in contractual agreements. During their stay in New Zealand they could not participate in intimate relationships and would not be expected to seek support from the various

advocacy groups (Skilling and Tregidga, 2019). In combination with commonplace sexual harassment by male counterparts, employers, and supervisors, women migrant workers usually have limited legal recourse. Children being left in the home country increase the pressure to which migrant women are subjected. Such combined circumstances render a migrant labour force that is already vulnerable virtually voiceless and invisible (Levitt et al., 2017).

In any case, these avoidances serve to render illegal the individuals who take care of their jobs in the sex industry, which conceivably opens them up to manipulative and weak working conditions. This is regardless of the decriminalisation of the sex business in New Zealand in 2003. The insurance of sex workers allowed by the law change isn't extended to foreign sex workers who are basically of East and Southeast Asian origin (Furlanetto and Robstad, 2017).

The entirety of ladies interviewed had come to New Zealand; some came as international wives while others worked in massage parlours or had overstayed their visas. Albeit the Prostitution Law Review Committee draws attention to the fact that dealing and coordinated wrongdoing are not "huge highlights" of New Zealand's sex industry, the New Zealand Prostitutes Collective has required extra autonomous examination of sex workers' business conditions because of ongoing concerns

#### [Reasons for surge in the number of migrant workers in the New Zealand construction industry](#)

Migrants, permanent settlers and temporary workers alike, have for the last decade, served as the face of construction markets in numerous nations Chang-Richards et al. (2017). Throughout history the new entrant migrants to various cities have also had a significant role in leading to their growth, be it in the form of informal builders or waged workers who take part in the construction of houses. The sector's high dependence on migrant labour is usually a result of several factors; among them the seasonal and project-dependent character of construction works Mekkodathil, El-Menyar & Al-Thani, (2016). It is also partly due to the unique location of the construction

processes. Like many industries, among them consumer services, mining, or agriculture, this sector cannot be relocated to another place in search of lower labour, transport costs, or even inputs (Larner, 2019).

Despite rapid advances noted in technological and technical building practices within the sector, construction has remained highly labour-intensive where labour is a critical component of the cost of projects, mainly in less developed nations Mekkodathil, El-Menyar & Al-Thani, (2016). Construction has long had flexibility due to its nature of being project-specific; for instance, project-based employment structures or even subcontracting firms that purely trade in construction labour. The adoption of such specifics has increased in other sectors in the recent past (Cochrane and Poot, 2016). Hence before wide-based flexibilisation of industrial production setups, for instance, auto manufacturing, there were significant levels of flexibility in the construction industry besides contingent employment forms.

Still, the absence of standard operating procedures within the construction industry presents yet another reason for the sector to find a need to look for migrant labour to lower the labour-intensive production process costs (Mooney, 2016). Temporary migrants and immigrants deployed in trade, besides providing the essential skills and expertise to various construction labour markets in most cities, usually have become integral in construction since they have taken jobs that are not desired by anyone else. For a long time, a significant construction challenge has remained poor pay, dangerous and dirty jobs, increasingly so for the numerous residents in fast-growing economies.

Based on a report by Building and Wood Workers' International, a global union federation, the use of migrant workers, has seen a significant increase in the last decades. The trend is expected to rise. As noted by other researchers, construction is an important sector for employing immigrant

and migrant workers and it is an industry that is often on a growth trajectory (Bogen and Marlowe, 2017). The migrant construction labour networks tend to be important in countries such as Singapore (which compares to New Zealand in terms of construction sector contribution to the economy), having about 160,000 migrants coming from East Asia and South Asia and many millions of migrants from Pakistan and India. Their presence has resulted in the fast growth of international construction labour markets.

There are at least three main factors which seem to be driving construction employers to continue looking for workers outside national borders Clarke, (2018). Firstly, most of the construction workforces within the industrialised economies have been ageing. The removal of apprenticeship and training programs, lower rates of entry into skilled trades by the national citizens, and falling birth rates have resulted in construction labour structural changes (Brunton and Cook, 2018). The second factor is that most of the industrialised nations, New Zealand included, are undergoing rapid growth in economic and demographic terms. Such trends have resulted in a spate of construction markets in most countries, for instance, India, China, and Brazil, where the demand for more and new office space, housing, civil infrastructure besides industrial infrastructure has to a great extent surpassed the capacity of local construction labour markets.

Thirdly, the growing size, as well as sophistication, of projects in New Zealand (and elsewhere), among them mega residential projects and enormous infrastructure tasks, has been noted in the recent past, leading to a rise in the need for heavily skilled professional imported workers who have vast experience in design and project management of large and complex projects in regions in which there might be a dearth of such expertise (Gupta et al. 2018). These schemes, ranging from residential megaprojects to global sporting activity venues, also demand large



amounts of labour, calling for the hiring of migrant labour both at the top and the lowest end of occupational levels for the projects' duration.

The rapid growth of urban areas results in new migrant labour markets, especially in nations where the development of the metropolitan regions is concurrent with an increase in the destruction of livelihoods and agricultural lands Meister & Willyerd, (2021). The long-term urbanisation process typically takes up peri-urban farmland hence rendering such land more expensive besides becoming scarce. Urbanisation consequently can result in the creation of migrant workforce required for production even though it may require the rural communities to endeavour to bear the cost of maintenance of migrant workers (Reid et al. 2014).

For instance, employees from Ireland who historically have experienced historical ethnonational unfairness within construction immigration processes, tend to be socially compatible with employees in Canada Reinecke & Ansari, (2016). Hence, its people are lawfully allowed to move for a short while. At the same time, having been given limited or even absolutely no job, skills training, or even language seminars from the government of Canada, they are nevertheless perceived as desirable employees since they are treated as labour-ready Bloom et al. (2017). This is similar to what is happening in New Zealand. Another example is the mercantile networks in the UAE, which have been in place for centuries now, have connected Dubai and Kerala, a southern Indian province, and are included through new south Indian construction labour recruitment systems moving to Dubai (Barnett and McMichael, 2018).

This is partially because the Keralite labour contractors source workers from rural villages to small-scale labour supply firms operating within the Emirates (Barnett and McMichael, 2018). About 50% of the manual labour in UAE construction is from Kerala and neighboring states, for

instance, Andhra Pradesh and Tamil Nadu. The proof of such a shift is that contractors are looking now to other Indian rural states, for example, Bihar.

A range of social factors like integration play a role in reshaping construction migrations as can be observed through demographic changes. For instance, population growth and aging population leading to significant economic changes in urbanisation and industrialisation (Guo, Yiu, and González, 2015). The growth in construction globally in the recent past, combined with increasing size and advancement in technology of some of the projects, has resulted in the intensification of global international competition for highly skilled or even specialised professional migrant labour Fulcher, (2015).

Such a technological trend leads many nations to expand into new recruitment channels and labour markets farther away in order to find qualified labour. However, national immigration policies have an important role to play too Goos et al. (2019). For instance, the production of new partial immigration paths by Canada to take charge of professional employees and new regulations created in UAE putting strict limitations on how many employees who can be absorbed from a given nation and also the changing recalibration of immigration policy throughout Europe as part of the reaction to the crisis of refugees are to a great extent resulting in a reshape of construction migration networks in certain regions (Halseth, 2016).

#### Disorganised nature of the construction industry in New Zealand

Compared to other similar countries, New Zealand's injury and fatality rates are incredibly high. Following the current comparison publication of fatal occupational injury rates by the institute of Work-place Safety and Health (2014), , the ranking of New Zealand has been ninth out of nine countries, having a 15.3 per 100,000 person-years occupational fatality rate. Australia has 4.4 fatalities in the construction industry, and Norway has 4.4 deaths over all sectors, indicating the least rates of fatalities reported (Petrou and Connell, 2018).

Contrary to certain other countries captured in the research report, New Zealand's official ILO data also captured self-employed workers. Because industry being studied comprises over 35% self-employed workers, which is deemed to be high, Samaranayaka, Lilley & Weiss (2013) asserted that there is a high chance that the magnitude of rates of occupational injury could have been seriously over-estimated as compared to other countries which usually do not include self-employed workers in the construction industry.

Despite comments made by Lingard, (2013) the construction industry in New Zealand, especially the residential construction industry, still leads the cases of injury, illness, and fatality rates in the country. Work-related death cases stood at 33, the second-highest data ever in the construction industry between 2011 and 2015 and the second-highest figure of claims lodged by workers: 21,300 concerned work in the construction industry (Zhao, 2018). In the general construction industry of New Zealand, 25,557 building injury cases and cases of the allied trades were reported (Zhao, 2018).

A total of 35,500 claims were registered in 2013 by other occupational groups, which were mainly related to work injury claims as compared to 31,200 reported cases shared by workers in agriculture and fisheries and 25,200 claims reported for workers who were operators of plant and machinery or assemblers (Ho, 2016). Although these statistical data are not remarkable, the actual figures are likely to be very much higher. More importantly, a significant level of under-reporting of accidents was evident following the current survey of workers and employers (Ho, 2016).

Only two out of ten employees and about three out of ten employers in the construction industry believed that accident cases occurred all the time when asked about hazard frequency levels, the number of closer misses, and cases of accidents reported to supervisors or bosses. What

is most concerning is that only 28% of overall employers indicated that extreme harm injuries in their premises had been reported to the WorkSafe body (Simon-Kumar, 2014).

In New Zealand's construction industry, the workload has exponentially increased, leading to increased incidences of severe injuries as well as fatalities with the Canterbury rebuild as the main driving factor, together with an increase in demand for housing and infrastructure in Auckland as well as remedial work linked to issues of weather tightness (Lin & Ngai, 2021). Risks related to health and safety have increased due to these pressures. There is much complexity with workers in the Canterbury reconstruction, as a result of exposure to occupational injuries as well as illnesses. This is due to the fact that the workforce is so diverse and consists of supply chain networking across four areas of the construction industry, housing, commercial, civil and the various trades that include SMEs (small and medium-size), prevalent within which are sub-contracting firms that operate within many areas of construction (Lin & Ngai, 2021).

The management of occupational safety and health among sub-contractors is a daunting task due to the fact there are high risks of skipping the carrying out of safety checks as well as failing to incorporate robust health and safety measures. OHS might also be hindered by contractor enterprises which may compromise on health and safety measures in return for making larger profits and faster completion of work (Jaye et al. 2015; Lamare et al., 2015).

Additionally, as mentioned previously, the construction industry experiences an acute business cycle variance compared to other industrial sectors, and this has more significant impacts on firms' employment and occupational health and safety. In other words, in the case of a boom in the industry, the industry is very much constrained (Lamare et al., 2015). In contrast, in the bust scenario, employees tend to lose their jobs as businesses attempt to cut costs, particularly in areas considered to not require continuity (like OHS) (Jaye et al. 2015).

Equally, the industry has much division with uneasiness regarding training. Depending on legislation both in the past and currently, several industry trainers, the majority of which are small businesses, have been launched in the previous decade Dølvik & Jesnes, (2018). Generally, these organisations offer safety training with more emphasis on safety issues than health and they provide identity cards indicating the level together with training type gained by the card-holder (Teariki, 2017). In effect, it leads to a proliferation of occupation health and safety trainers and schemes registration. All of the major players in the construction industry possess a specific preference as to which scheme they expect their employees to belong to and major sub-contractors to subscribe to. Quinlan and Bohle (2004) assert that employees in hazardous employment are infrequently given similar benefits like training compared to their colleagues who have more stable employment arrangements.

The construction industry and the central government have not invested over time in a stable workforce, hence contributing to labour market fluctuations by using the just-in-time technique (Rasmussen, 2010) which is associated with health and safety training implications for all employees. The legislation of employment relations and safety and health has performed dismally in ensuring the monitoring of excessive and abusive use of casual labour (Friesen, 2015).

The compendium of trans-border risks generally hinders economic security as well as the mobility of labour market of workers through various factors including migration debt and poor information regarding the labour market and also destination-specific risks among which are wage theft, illegal fees, subcontracted employment relations enforced by police or even employers might jointly interact resulting in the generation of unique as well as sophisticated forms of economic vulnerability for migrants within the trades (Mooney, Harris and Ryan, 2016).

These, in conjunction with regulatory exclusion from accessing support of settlement services available only to permanently settled immigrants, result in different isolation forms; as well as segregation from civil society groups and unions, there is exclusion from other state welfare support including subsidised housing or employment insurance MOBIE, (2021). So the initiation of *de facto* debt bondage cases and other severe restrictions within the labour market or forced labour have turned out to be salient facets of construction labour markets throughout industrialised and industrializing countries like New Zealand MOBIE, (2021).

Problematic practices range from employer's control over their migrant workers by threatening deportation or hindering the ability of migrants to stay within the country, to extensively publicised invasions by the border services staff who might behave in such a manner that even those legally resident may have a feeling that security of their job or even their legal status is ever at risk Dutz, et al. (2018). In conjunction with these vices, such daily micro-pressures might effectively amount to what can be best described as deportation regimes where the migrants' may experience deportations back to their home countries Borzaga, Salvatori & Bodini, (2019). The result of all these is a work force that is more tractable, cheaper because it is a hyper-flexible tertiary labour force made up of workers who will be working for less, who would ignore the unsafe working conditions, who will be tolerant to chronic wage theft and who will work beyond the standard working times or work for cash (Harrigan and Koh, 2015).

In most instances, including New Zealand, the assumption by migrant workers that to apply their employment rights would affect job security, their security, or even legal status and that it might have a highly corrosive impact on their ability to seek recourse for any unfair practices Ortiga, (2018). They are oblivious of their rights as mandated by local laws. They are confined to a single employer who has substantial control over their existing living and working freedoms in

the country of destination Bevan et al. (2018). Difficulty and inadequate proficiency in adopting the local language and insufficient protection by the institutions with responsibility for security, for instance, health or safety inspectors or even the police, might result in further exacerbation of such conditions that prevent workers from acting to contest illegal as well as unfair practices (Moyce and Schenker, 2018).

### Transfer of skills, brain gain & transit state approaches

In the New Zealand construction industry, migrant workers are undoubtedly a vital source of new knowledge, expertise, and skills. Other nations are meanwhile establishing short-term migrant labour as the most viable option to alleviate shortages of skills due to numerous years of reducing investment in various evaluation programmes. Such transfer of skills and value is not entirely focused on the industry's higher paid and higher skilled occupational components.

In their research, Riordan, Iskander, and Lower (2010) illustrated the significant innovations made by the immigrant and migrant workers employed in the residential construction sector (Wetzstein, 2019). They illustrate the fundamental ways that such workers have reshaped the process of construction. They argue that the transfer of knowledge from migrant workers to non-migrant workers has not been properly researched and hence the understanding in this area is under developed. This is partly because most workers tend to be informally employed and do not have access to various associational links, like unions which could possibly make such forms of contribution more conspicuous. The decision to move is itself a significant acquisition skills for employees who have been unable to access the same level of jobs in their home countries or for those would like to acquire skills that are specific to that labour market to use back home either themselves or to train another (Perkins, Mackay and Espiner, 2015).

Short-term migration might occur to specific nations known to have high-quality experience and training in the construction sectors, like New Zealand, which gives these migrants

more significant value to other labour markets whence they might travel in the future. For instance, these strategies have been noted to be applied by some of the migrants from South Korea who had gone to look for work in Canada to obtain Canadian experience on their CVs after which they relocated in the longer term to UAE (Goh and Binte, 2015).

The reverse trajectory might also be typical for people looking for access to skilled construction jobs and permanent residency within Canada, where experience in working in sophisticated and large-scale projects within UAE might be a stepping stone to the Canadian labour market (Wetzstein, 2019). These transit state strategies are all approaches to gaining significant experience in a single region, which might be leveraged to obtain rising mobility within the labour market of other destination nations. However, the level of success of such strategies remains a topic requiring more in-depth study (Lyu et al., 2018).

In as much as migration might be a way of securing better wages, gaining experience, opportunities for acquisition of skills, migration into construction markets also typically bears some risks besides uncertainties which might serve hinder the access of migrants to safe, fair and decent conditions of employment. There are three broad and linked forms of insecurity besides risks that might shape the experience of migrants in construction: migration debt, precarious legal status, and informational deficits (Beddoe, 2016).

Such security/insecurity risks tend not to be exhaustive neither do they explain the experiences of all migrants within all trades. Instead, they are aimed at highlighting that the sophisticated ways to access quality work for construction migrants tends to be partly shaped by the organisational as well as spatial nature of modern construction work and also by social relations outside of the employment contracts, national immigration regimes, or even the conditions of the workplace in political and geographical terms (Kelsey, 2016).



### Research Question 3: How does the exploitation and discrimination of migrant workers in the New Zealand construction industry affect their safety, health, and well-being?

The possibility of good earnings abroad for some migrants in construction is hindered even before leaving their countries of origin. Illegal or exorbitant recruitment fees not to mention informal or even formal debts from individual migrants are among the vulnerabilities adding to the risks linked with migration. Misleading or poor information on overseas job markets combined with precarious legal status increases the risks borne by migrants (McGowan and Andrews, 2017). For all too many workers within the construction sector, debts tend to be a defining characteristic of the global migration process.

Such debts might be incurred from informal moneylenders or even from traditional banks to pay the cost of migration including fees charged by the various labour agents, which may or may not be against the law or prohibited under bilateral workforce agreements. For instance, research conducted in Kerala established that poorer migrant workers often incurred large debts by having to pay illegal recruitment fees to existing local labour brokers in return for securing a construction job in the Persian Gulf (Wickramasekara, 2015).

Wickramasekara, (2015) and other researchers note that meeting such costs often leaves these workers with no choice but to borrow from informal lenders who are notorious for charging relatively higher rates of interest in comparison to traditional banks because in most cases the poorer migrants do not have collateral for securing a low-interest loan. The charges by informal lenders might be very high and mostly require monthly repayments of the debt. Migration financed by deficits, and with specific reference to high-interest forms of informal lending, often serve to lock out migrants, compelling their families to repay previous debts incurred hence resulting in the perpetration of a cycle of extracting value from the various migrants, which might end up being more than what is earned from their work (Yao et al. 2015).

Although the New Zealand government has attempted to regulate migration fees through by setting regular fee limits, the labour agencies recruiting workers based on misleading or even incorrect information means that, for most migrants, paying such fees and running up debt are the only way of migrating to earn wages in the host nation's construction sector (Benghida, 2017). The general lack of a regulatory framework protecting migrant workers has been linked to the emergence of these labour agencies which perpetuate such debt cycles Dobbs, Manyika & Woetzel, (2016).

Seeking debts to settle the illegal fees has also been illustrated to result in the rise of exploitative practices and precarious legal situations for migrants, increasing the risks of forced, unfree, or even bonded labour (Chancellor, Abbott, and Carson, 2015). The damaging impacts of migration debt on the economic welfare of migrants might be exacerbated by yet another trans-border risk which is the exchange rate of the currency. Unfavourable rates of exchange benefitting the currency exchanges occur because earning income in a stronger currency usually is a crucial factor for migrants who are aiming to remit a fraction of their income home and exchange rates are generally determined by geo-economic as well as geo-political forces that are not within the control of migrants.

Many studies have realised that migrants might conceal the failures and hardships usually experienced in overseas works Dobbs, Manyika & Woetzel, (2016). Hence migration into construction labour markets and the substantial number of risks that the workers bear on their way, may not be taken as a priority, being considered as just regular or just caused by factors including global wage differentials or even other economic parameters for understanding and elaborating the choices made by the individuals (Armstrong, 2019).

This point of view is of significance when taking into consideration the reason for why migrants or even their households choose what they have. Recognising that such decisions might be shaped by contextual factors and comprehending that the factors motivating the arrival at such choices, might take a long time to pay off is important (Chang-Richards et al., 2017).

Another dynamic that influences migration decisions besides trans-border risks of construction migration is that construction labour markets tend to be highly asymmetrical. This means that recruiters and employers have, in most cases, relatively more accurate information regarding the future for employees they are hiring, even as employees and their families might be facing the challenges of a substantial lack of knowledge when deciding on whether to migrate (Metge, 2021). Indeed, it could be argued that the partial or even inaccurate information provided by potential employers has the potential to deceive migrant workers. Moreover, it might be very challenging for workers to access a reliable description of the job they are intended to do, their actual wages, and their anticipated working conditions. Also, information on the length of time it will take to pay debts due to migration and the type of employer they will be serving will remain scant, and hence the result will be the decision to migrate regardless.

Lastly, besides the costs of migration and lack of information, the proliferation of temporary and probationary residency forms of migration in countries they intend to migrate to is the third trans-border risk. For instance, in as much as segmentation of labour market within construction throughout parts of North America and Europe has been comprehended via the portrayal of section as a quintessential immigrant niche, such framing has typically concentrated on the way that permanently settling foreigners have moved to carry out more challenging as well as lower status construction works at cheaper wages compared to nationals within the workforce (Gibson, McKenzie and Rohorua, 2014).

~~A lot of the migrant worker~~ A great deal of the literature on migrant workers in the construction sector, nevertheless, notes the corrupted trends in the construction sector ; for instance, the rise in casual or non-contract work for migrants, work permits for foreign tradespeople, intra-firms transferability and the proliferation of limited-term visas. Such changes in immigration policies, therefore, need to consider the insecure and temporary forms of employment of migrant workers and the impact that these have on the relationship between the employers and migrant workers in the construction sector. The production of legal situations where the ability of migrants to live in the country is dependent on continued work with a given employer, for instance, can significantly affect the power of the worker to question poor working conditions or their lack of labour market mobility within the host country (Mateus, Allen-Ile, and Iwu, 2014).

. The rising significance of concentrating on insecure and temporary international migration is a result of various trends. The first one is migration construction demand being on a growth trajectory especially in nations with rigid laws that do not allow permanent residency or even migrant citizenship rights. Another trend is that rising demand for migrant workers is taking place in countries that are actively re-evaluating national migration laws intending to make the migrants even more temporary and promote circular migration among merchants, for instance, Australia and Canada (Lønsmann and Kraft, 2017).

The third trend is that of multinational subcontractors as well as contractors increasingly using posted intra-firm labour based on projects, thereby influencing a highly dynamic labour market both for unexperienced and experienced professionals where there is an international growth in demand for their skills, and also allowing companies to bring in their low-cost manual employees. The latter might be exempted from the requirements of some local labour laws as well as minimum wage laws.

#### Research Question 4: What strategies can be used to mitigate against such discrimination and exploitation?

Global migration has been a significant factor which usually occurs in local construction labour markets where variedly skilled and precariously resident or even illegal workers have permitted the development of high levels of segmentation of the labour markets resulting in wage differentials in the local labour market. Wage hierarchies based on race, gender, religion, ethno-nationalism, or even citizenship within local construction labour markets can be observed as a common trend due to the presence or absence of regulations that prevent wage differentials in local labour markets (Chaturvedi, Thakkar and Shankar, 2018).

Nationalised or racialised wage hierarchies in conjunction with high ethno-national segmentation of labour markets have been established in local labour markets throughout the world, for instance, Malaysia, Canada, Singapore, Portugal, and New Zealand (Wetzstein, 2019). Segmentation of the labour market and increasing migrants' incorporation into construction sectors have been associated with increasing insecurity and casualisation of construction work globally over the last thirty years.

Components of the construction labour market in New Zealand, for example, residential construction, have become heavily unionised (Andrijasevic and Mai, 2016). The deregulation of unions in the construction sector in specific regions among the Kuala Lumpur and Singapore has resulted in migration flows into this sector and the emergence of a very flexible, globalised, and insecure workforce within construction trades.

Entrenched labour market segmentation might experience changes in future since some migration networks are starting to change because of shifts in geographical trends of economic growth coupled with the demand for shifting construction labour to new regions. This is going to affect supply of migrant labour for the construction industry. For instance, it is noted by Santoso

(2009) that there has been a shift in migrant labour outflows from Southeast Asian nations from migration to the Middle East. Specifically, from the Gulf nations to an intra-Asian flow direction as rapid economic growth has occurred in Malaysia and Thailand (Farquhar, 2015). Other factors, for example, employer views that migrants tend to be easier to manage and are more than willing to work harder in comparison to national colleagues, were also factors in turning to migrant labour in countries such as Malaysia.

Rising complexity in technology in specific construction industries, specifically concerning industrial construction, has resulted in increased salaries and the development of the highly skilled professional category of migrants globally having highly sought-after managerial or technical know-how. An increasingly tightening labour market globally with growth in demand for identical types of skilled-trades labour required for complex projects involving extraction of resources, for instance, in the hydrocarbon and mining sectors and also urban infrastructure projects, implies there will be a substantial improvement in economic prospects for highly skilled as well as high-paid professional migrants (Bilau et al. 2015).

The rising wage polarisation has been highlighted in other studies in construction trades regarding rapid urbanisation in Lisbon, for instance, besides development traces of two-tier labour markets for formal sector workers from Portugal besides informalised workers. This is also the case in the NZ construction sector (Bygnes & Erdal, 2017). On the contrary, many studies on the policy and trade sector provide a global set of viewpoints on worsening employment conditions for migrant, low-paid, and informalised construction workers Collins, (2019)..

Pay rates in the construction sector in Europe and North America is also polarised, made up of high-skilled professionals, for instance, engineers, quantity surveyors, and construction managers at the top of the wage scale and workers deployed in lower-paid and less secure manual

jobs, for example, concrete finishers down to general workers (Hamza et al. 2019).. Efforts to standardise the remuneration of professional and unskilled construction personnel, migrant or otherwise, will be a steppingstone to addressing some of the pertinent migrant worker challenges in the New Zealand construction industry.

### Summary

This chapter records the findings of the research study. Generally, while there are many challenges facing migrant workers in the NZ construction industry; they are not unique to NZ and similar challenges occur in other sectors. A review of other countries also points to similar situations. This chapter has considered the research questions in relation to the construction sector of New Zealand. The findings and the deductions will indubitably provide guidelines to future research on the plight of migrant workers in the construction sector of NZ.

## CHAPTER V: CONCLUSION AND RECOMMENDATIONS

### Introduction

This is based on the findings of the analysed literature concerning the plight of migrant construction workers in NZ and beyond. In this concluding section, the achievement of the aim, objectives and address of the research questions has been considered.

### Summary of Findings

Having conducted a review of the literature on the challenges facing migrant workers in the New Zealand construction sector, it is apparent that the experiences, pay and conditions of migrant workers tend to be poor. The review of the literature also highlighted a number of themes. For example, general trends of an increase in polarisation of income, de-unionisation, and sub-contracting can be noted sector ally across the entire construction industry in New Zealand.

Still, in as much as the experiences of each of individual migrant workers tend to be heterogeneous and might be a challenge to generalise in one way or another, standard practices concerning the regulation of lives and livelihoods of construction migrants in New Zealand could be established from this research, with specific reference to migrant workers serving in precarious employment.. This group of migrants might disproportionately face substantial barriers to decent, fair and safe work as a result of some issues considered:

- The dominance of gendered, racialised as well as ethno-nationalised access hierarchies to improved wages and better jobs in the market.
- Precarious working conditions prevalent within the construction industry, among them false self-employment, different triangular employment forms of labour contracting and the disproportionate over-representation of workers and casualised work in a majority of precarious relations.



- Increased levels of fatality and on-job injuries.
- Disproportionate vulnerability to immobility of the labour market as well as the continuum of lack of freedom such as legal attachment to a given employer, or debt bondage or even forced labour conditions.
- Exclusion, be it by law or even standard practice from state supports in the countries of destination, in matters for instance of job training, employment insurance, or subsidised housing.

The countries of destination and origin of migrant workers in most cases acknowledge the prevalence of such migrant workers risks and have in most cases made many attempts to enhance workplace safety, collective organisation and bargaining, and combating illegal migration fees, curbing wage theft and housing conditions. What is evident, however, is that such efforts have met with substantial challenges, be it as a result of legal limitations of the state to regulate phenomena extending between as well as across national borders; or high costs linked with efficient enforcement and regulation of an industry which has always been very dynamic and which constantly changes its worksites, work teams, and projects; or the structural embeddedness of temporary as well as contingent relationships in the construction industry. Employers and government acknowledge that such issues need new transnational cooperation along with innovative bilateral or even global framework agreements for visa-free migration between workers and multinational companies.

Nevertheless, it should be emphasised that such efforts have as well to be multi-scalar.. These have a pivotal role to play in harmonisation and transformation of policies, practices and regulations. Such aspects might be enhancing the relations between local police forces and construction migrants and improving local oversight of recruitment within their home towns, and

the extension of access for migrants to municipal, regional, or even provincial social welfare programs. Similarly, greater scrutiny is required of those sub-national practices and frameworks that criminalise the immigrants or exclude them from the indemnity necessary for the safe exercise of their work and residency rights.

There have been shared expectations by employers, the community at large, and authorities that is a need for some state intervention on matters concerning the safety and health of workers even if just to come up with applicable minimum standards and ensure that errant violators are punished. The explanation of the need for such legislation, and its enforcement, might be noted in numerous ways. In the first instance, the management might perceive the health and safety of deployed labour to be of minimal importance and deliberately fail to offer adequate protection for employees when competitive pressures emerge.

Employees in such conditions tend to be significantly powerless to protect themselves, especially when there are many unemployed workers and weak unions. Lastly, enforcement is how organisations or persons can be held responsible for actions or inactions. Fineman (2008) noted that the state should make sure that institutions and other structures it controls do not have disproportionate benefits or disadvantages to particular groups.

### Limitations, Contributions and Further Research

The concern then turns out to be what can be done to create safer and healthier working conditions for construction migrant workers in New Zealand, including those vulnerable workers; to explain the challenges and relate them to the poor performance of OHS within the New Zealand construction industry. There is a need to consider the probable solutions that might aid the construction industry in New Zealand to come up with an effective and efficient OHS mechanism

for protecting its migrant workers, even though this is quite challenging. Even though limited definitive research has been conducted on the matter, a conclusion cannot be prematurely made that the New Zealand construction industry is ineffective or even inefficient. This can be explained in two dimensions.

The first dimension is that firms and the construction industry work in more conflict than cooperation. The different extent is that conventional design and construction firms are coupled with suppliers and divided from the sub-contractors hierarchy which means that a lot of knowledge on how to manage OHS strategies more efficiently tends to be segregated and not typically shared. Since construction projects are often complex in organisation and technology, the operating influences and interests of numerous project contributors, shareholders, and workers on OHS practices should be integral.

An industry OHS network, as a proposal similar to the Canterbury Safety Charter, would offer an essential mechanism to manage the interests of shareholders whilst ensuring the proper provision of adequate OHS measures at the workplace. The suggested industry network might facilitate more interaction among industries, governments, and firms to protect marginalised and vulnerable workers. Such intra-industry coordination might assist in fostering more collaboration as well as providing more significant resources and knowledge sharing on OHS measures targeting vulnerable workers. This operative network might permit firms, including contractors and sub-contractors, to collect needed expertise and resources essential for keeping up appropriate OHS standards and ensuring that the workers are safe. This network might promote the development of integrated solid mechanisms. In cases of the lack of such mechanisms, deep fractures form, such as failures in communication, conflicting interests, and lack of clarity concerning OHS responsibilities of firms and workers.

The Essential Skill Policy aims to facilitate the entry of migrant workers to New Zealand who are able to fill the existing construction labour markets. Applicants have to be in a position to illustrate the suitability of their qualifications and experience for filling the position. They have to meet the criteria listed below:

- Undergone suitable training for filling the position
- Possess a job offer for a tilted position on one of the lists of Essential Skills in Demand
- Meet the immigration New Zealand requirement that no residents of New Zealand are suitable
- Possess an offer of a job from a given employer approved for the recruitment of migrants
- Has an appropriate employment record and relevant experience.

Other nations have similar policies; for instance, in the mid-1990s, Australia provided the Subclass 457 Visa Programme, which permits sponsorship by employers of migrant workers for a period ranging between one day and four years. The extent of the program's attractiveness is a road to residence as holders of 457 visas can apply for the category of permanent residency after 24 months of employment. The demand for Essential Skills workers has decreased since the beginning of the global crisis in 2008. The primary sources of countries for Essential Skills employees were India, UK, the Philippines, and Fiji (Reid et al. 2016). The distribution of Essential Skills employees has shifted due to the Christchurch earthquake. Nearly 4,733 individuals received Essential Skills work visa approval between 2012 and 2013 in the Canterbury region. This reflected a rise of 40% over the previous year, with 20% of workers being within the trades and construction industry. The Essential Skill Policy is proven tool for facilitating the migration of skilled and experienced workers to New Zealand and should be further developed and enhanced.

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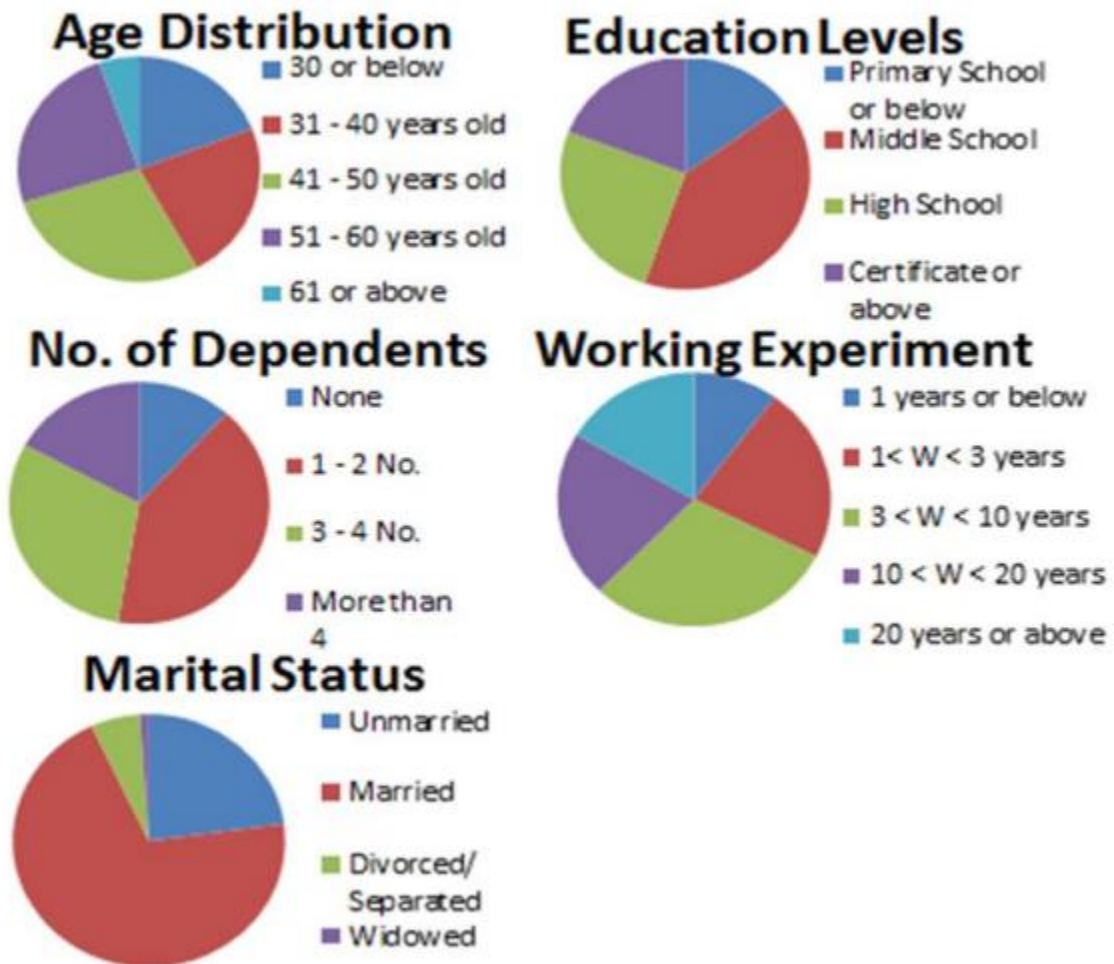
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## APPENDIX

### Interview results



Age	No. of participants	Mean of RI	SD of RI	Mean of RB	SD of RB
30 or below	36	4.05	1.437	2.8	1.71
31 -40 years old	43	4.36	1.002	3.279	1.383
41 -50 years old	53	4.094	1.412	2.925	1.136
51 -60 years old	46	4.22	1.37	2.94	1.239
61 or above	10	4.03	1.435	2.94	1.087

Education Level	No. of participants	Mean of RI	SD of RI	Mean of RB	SD of RB
Primary School or below	28	4.667	1.126	3.107	1.181
Middle School	76	4.118	1.472	3.079	1.267
High School	48	3.965	1.318	2.917	1.36
Certificate or above	36	4.204	1.031	2.789	1.577

No. of dependent	No. of participants	Mean of RI	SD of RI	Mean of RB	SD of RB
None	22	3.909	1.322	2.573	1.36
1 -2 No.	77	4.346	1.191	2.958	1.32
3 -4 No.	57	4.175	1.333	3.375	1.44
More than 4	32	3.959	1.558	2.644	1.002

Working Experience (W )	No. of participants	Mean of RI	SD of RI	Mean of RB	SD of RB
1 years or below	19	4.088	1.271	2.453	1.469
1 < W < 3 years	42	3.976	1.46	2.895	1.434
3 < W < 10 years	56	4.089	1.411	3.200	1.303
10 < W < 20 years	40	4.342	1.103	3.075	1.12
20 years or above	31	4.452	1.234	2.936	1.418

Marital Status	No. of participants	Mean of RI	SD of RI	Mean of RB	SD of RB
Unmarried	43	4.295	1.084	2.749	1.466
Married	132	4.126	1.408	3.041	1.272
Divorced/Separated	11	4.273	0.443	3.073	1.263
Widowed	2	4.5	3.536	4	3.394

## Adopted items in construct

Constructs	Item	Used Questions	Ideal Scores of the questions
Family Influence (FI)	FI 01	You must take care of your family and you would be happy when the entire family is happy.	Hebbani & Srinivasan, 2016
	FI 02	Your family members think that you are very important to the family.	Procidano & Heller, 1983 (#18 of Appendix A, Family Section)
	FI 03	Your family gives you support in performing safer at work rather than earning a higher salary.	Procidano & Heller, 1983 (#01 of Appendix A, Family Section)
Social Influence (SI)	SI 01*	Even if you need to bear considerable risks, people who are important to you (such as friends, someone you respect) still think you should complete work as soon as possible.	Hsu & Lin, 2016
	SI 02*	Even if you need to bear considerable risks, people who can influence your behaviours (such as superiors, colleagues, mentors, etc.) still encourage you to complete work as soon as possible.	Hsu & Lin, 2016
	SI 03*	Bearing considerable risks at work to heighten the effectiveness of your team makes you feel proud.	Hsu & Lin, 2016
	SI 04*	Bearing considerable risks to speed up work gives you a strong sense of belonging to your team.	Hsu & Lin, 2016
Financial Needs & Lifestyle (FNLS)	FNLS 01*	You are worried every month if you would be able to pay for living expenses.	Jackson et al., (2010) [Part of the PGS Index].
	FNLS 02*	How often have you bet more than you could afford to lose?	Jackson et al., (2010) [Part of the PGS Index].
	FNLS 03*	How often has your gambling caused you or your family financial problems?	Jackson et al., (2010) [Part of the PGS Index].
Cognitive Bias (CB)	CB 01*	In a situation that you have already mobilized labour and material resources. It is not possible to stop the work for any safety considerations even you knew it has potential risk.	Roberto, 2002
	CB 02*	You believe 100% that you are able to prevent any kinds of accidents related to your own work from happening.	Roberto, 2002
	CB 03*	Sufficient relevant experiences ensure that you would not be injured in any construction sites.	Roberto, 2002
Workplace Condition and Safety Equipment Availability & Design (WCSEAD)	WCSEAD 01*	You always work at height without buckling up the hook of safety harness because there is no anchor point for hooking.	Zhang & Fang, 2013
	WCSEAD 02*	You always work under insufficient light or lighting.	Lubega et al., 2000;
	WCSEAD 03*	Because of restrictions in workplaces on the use of approved access ladders or working platform, you always use other improper ladders to carry out work above ground.	Sawacha et al., 1999
	WCSEAD 04	During cutting and hammering, you would still wear protective goggles even if they obstruct your view partially and cause you discomfort.	Lombardi et al., 2009
	WCSEAD 05*	Even many safety equipment/ devices are statutorily required at work, you always find they are not available on the spot or easy for you to get.	Ismail, 2012
Safety Supervision & Inspection and Safety Culture (SSISC)	SSISC 01	You think there are adequate and rigorous safety supervision and support provided by your supervisor or your company in your workplace.	Cooper, 2000; Wu et al., 2015
	SSISC 02	On safety matters, your company has a firm commitment and well safety supervision.	Cooper, 2000; Wu et al., 2015
	SSISC 03	Members of your team are very concerned about their own safety performance.	Cooper, 2000; Wu et al., 2015
	SSISC 04	You will have greater satisfaction if you have higher safety performance.	Cooper, 2000; Wu et al., 2015
Attitude Towards Safety Measures & Procedures (ATSMP)	ATSMP 1	Adopting safety measures or proper procedures can improve your performance at work.	Glendon & Litherland, 2001
	ATSMP 2	You think safety measures used at work or proper procedures required for your job are easy to adopt.	Venkatesh, 2000 & Hu et al., 2016
	ATSMP 3	The outcomes of using safety measures or proper working procedures at work are close to your expectations.	Siu et al., 2003; Mohamed et al., 2009