NZ Human Rights.
Te Kāhui Tika Tangata
Human Rights Commission

PPG
Pacific Pay Gap Inquiry

Voices of Pacific peoples

Eliminating pay gaps

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Te Kāhui Tika Tangata, the New Zealand Human Rights Commission was set up in 1977 and works under the Human Rights Act 1993. Our purpose is to promote and protect the human rights of all people in Aotearoa New Zealand. We work for a free, fair, safe and just New Zealand, where diversity is valued, and human dignity and rights are respected. For more information, please visit our website: www.hrc.co.nz

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Preface

Every person is born with inherent dignity and rights to equality, self-determination and freedom from violence and discrimination.

We live in a nation that is blessed and wealthy – socially, culturally, economically and environmentally. We also have a political system that is highly ranked globally as one of the least corrupt. Beneath the averages, however, is where we need to look to see more clearly the diverse realities and human costs of inequity.

The Pacific Pay Gap Inquiry (the Inquiry) was conducted because New Zealanders believe that we are good people, and we strive to do right by members of our nation's family who are missing out, suffering or being left behind in our collective experience of a decent society, wellbeing and prosperity. Pacific peoples are overrepresented among those struggling and who we must do right by with respect and urgency.

I want to acknowledge and thank all the Pacific workers and the young future workers who engaged in this Inquiry. Thank you for gifting your precious time, wisdom and voice – and taking the opportunity to be seen and heard despite numerous challenges.

I also want to thank the businesses who participated either on their own accord or by accepting an invitation from the Te Kāhui Tika Tangata, Human Rights Commission. Thank you for sharing your knowledge, experience, challenges and ideas so other businesses on the journey to identify and address pay inequity by ethnicity may benefit.

I also want to thank the unions who helped facilitate engagement with their members in different parts of the country and spoke on webinars for the Inquiry.

I want to acknowledge the members of the Inquiry reference group who provided necessary critique, industry and community intelligence, bridged connections and brought mana to the Inquiry.

Finally, thanks to the Commission's Pacific Pay Gap team for their dedication and hard work.

To you all, meitaki ma'ata, mālō 'aupito, fakaaue lahi, fakafetai lahi lele, fakafetai lasi, faiakse'ea, vinaka vakalevu, tangkiu tumas, dhanyavaad, kam rabwa, faafetai tele lava.

The Inquiry has exposed legislative and policy gaps, business leadership invisibility and systemic indifference to pay inequity based on ethnicity that has perpetuated inequality, unfairness, discrimination and hardship in the lives of Pacific peoples.

The protection and realisation of basic human rights for Pacific peoples will lead to overall benefits for all New Zealanders.

Now that we see more clearly and understand better, we must act with urgency.

Ia manuia

Saunoamaali'i Karanina Sumeo
Equal Employment Opportunities Commissioner
Te Kāhui Tika Tangata
New Zealand Human Rights Commission

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Pacific Pay Gap Inquiry

Acknowledgements

The Commission is grateful to the hundreds of Pacific workers, community leaders, service providers, civil society groups, unions, private sector employers and government agency representatives who provided a submission to the Inquiry and/or who met with us to share their views. We have kept all submissions anonymous but have provided the opportunity for organisations and/or employers who wish to be acknowledged as having supported the Inquiry to be named below. Note that this is not a comprehensive list of all who participated.

- Alignz Recruitment
- Aoraki Legal Ltd
- BBM Butterbean Motivation
- Centre for Pacific Languages
- DB Breweries Ltd
- Downer NZ
- E tū
- Epsom Tongan Methodist Church
- ER Freeman Ltd
- HEB Construction
- K'aute Pasifika Trust
- Kalapu Mosimosi Gisborne
- Ministry of Business, Innovation and Employment
- Nelson Tasman Pasifika Community Trust
- New Zealand Council of Trade Unions Komiti Pasefika
- New Zealand Dairy Workers Union
- ProCare Network Ltd
- Public Service Association
- TROW Group
- University of Otago Pacific Students Association
- Vaka Tautua

The Commission is grateful to the reference group for their time, expertise and championing of the Pacific Pay Gap Inquiry:

- Brett O'Riley – CEO, Employers and Manufacturers Association
- Dr Api Talemaitoga – general practitioner and Fiji community leader
- Faitulagi Leilani Tamu – Pacific Director, Ministry of Business, Innovation and Employment
- Leilani Unasa – Director of Policy, Ministry for Pacific Peoples
- Lisa Tai – Partner and Pås Peau Lead at Deloitte New Zealand
- Magele Maria Uluilelata– New Zealand Council of Trade Unions

The Commission is also grateful to those who contributed their expertise to the writing of the report:

- 'Anau Mesui-Henry
- Dr Amanda-Lanuola Dunlop
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- Dr Judith Pryor
- Dr Sereana Naepi
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- Ivanah Tiata-Penita
- Nathan Rew
- Nid Satjipanon
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- Rachna Nath
- Robyn Paiti
- Linda Tran
- Lisa Meto Fox
- Tepine Ariu

Executive summary

Aotearoa New Zealand has both domestic and international human rights obligations to eliminate employment inequities and provide a safe and inclusive environment for all workers. The Pacific Pay Gap Inquiry found that the need – and expectation – of equality and equity in the workplace and wider society is now very real and urgent.

The Inquiry heard from Pacific peoples who knew their inherent dignity, were proud of their identity and felt a sense of purpose in their job. They cared about their peers and employers and contributed hugely to the culture of their workplaces. Pacific employers and workers wanted and believed

in the right to equal employment opportunities despite experiencing social, economic, and cultural inequality and inequity since coming to Aotearoa New Zealand.

Pacific workers understood what fairness was, what it was supposed to feel like and when it was absent in the workplace. All talked of the importance of paid work to having an adequate standard of living. For those living in hardship or in poverty, especially those in insecure employment, they held very tightly to the ability to maintain that income in spite of enduring unfairness, discrimination, and indignity due to feeling disempowered.

One of the Pacific managers we engaged with during the Inquiry emphasised the need to take urgent action to eliminate inequities. She told us:

> The thing about making equity voluntary is that no-one wants to know, no-one looks, and if they find it, you might still not get remediation unless you require reporting on that on a regular basis. So, all equity if you want action needs to be compulsory. You need to monitor what you've got and then require organisations to improve their data.

We agree. We set out our key recommendations for change in both this summary and the conclusion to the report.

Why was the Inquiry conducted?

Pacific peoples in Aotearoa New Zealand have long called for action to address pay inequities, poor working conditions and structural discrimination.

In the 1970s, for example, the Polynesian Panthers called for better working conditions and equal pay for Pacific workers.[1] The Advance Pasifika march in 2012 called for "decent jobs and a living wage for Pacific people in New Zealand".[2]

Pacific peoples have also participated in union or other collective actions and more recently in the Human Rights Commission's End Pay Secrecy campaign calling for pay transparency.[3]

Official measures of income from paid work consistently show that Pacific peoples as an ethnic cohort earn less than all other ethnic groups, but we still do not fully understand why.

[1] Anae, Melani. The Platform – The Radical Legacy of Polynesian Panthers. Auckland: Bridget Williams Book, 2020.

[2] "Pacific people stage protest march in Auckland for 'better future'." Pacific Scoop, June 16, 2012. https://pacific.scoop.co.nz/2012/06/pacific-people-stage-protest-march-in-auckland-for-better-future/

[3] "Call for pay scale transparency law to ensure fair wages." Radio New Zealand, August 27, 2019. https://www.rnz.co.nz/news/national/397559/call-for-pay-scale-transparency-law-to-ensure-fair-wages.

What the data does show is that there is a wide and persistent pay gap between Pacific workers and other workers. In 2021, the gap between the median hourly earnings of Pacific men and Pākehā[4] men was 18.8 percent. The gap was even larger for Pacific women compared with Pākehā men at 25.1 percent. Alongside Māori women, Pacific men and women experience the largest pay gaps compared to other ethnic groups. There is no sign that this gap is closing.

To better understand the causes of pay inequities and to seek ways to identify and eliminate them, the Human Rights Commission set up the Inquiry. The Inquiry was conducted under section 5(2)(h) of the Human Rights Act 1993, which provides that the Commission can:

> inquire generally into any matter, including an enactment or law, or any practice, or any procedure, whether governmental or non-governmental, if it appears to the Commission that the matter involves, or may involve, the infringement of human rights.[5]

The Inquiry was supported by an expert Reference Group made up of representatives from the Council of Trade Unions, Employers and Manufacturers Association, Ministry for Pacific Peoples, Ministry of Business, Innovation and Employment, two other private sector voices convened by the Commission.

Centred on the experiences of Pacific workers, the Inquiry set out to focus on three key industries where Pacific workers are concentrated: manufacturing, construction, and healthcare. However, there was an overwhelming response from workers in a range of other industries including education, finance, the public service, retail, and social work. Our findings therefore reflect the wide range of employment experiences shared with us.

How was the Inquiry conducted?

The Inquiry was conducted between August 2021 and July 2022 through a broad and diverse combination of approaches, including:

- a dedicated website that hosted two surveys: one for workers (738 responses) and one for employers (16 responses)
- face-to-face and online interviews, talanoa (a Pacific form of narrative inquiry) and workshops/ webinars with community groups, union groups and other representative bodies – a total of 470 oral contributions (including 425 Pacific workers, 24 employers, four unions and one peak body)
- a literature review
- empirical analysis of income data
- research on the national prevalence of bullying, racial and sexual harassment in the workplace
- engagements with the Equal Employment Opportunities Commissioner.

While we planned to conduct our engagements face-to-face, most had to be conducted online due to the resurgence of COVID-19 in August 2021, which led to a national lockdown and three further periods of lockdown for Auckland. Wherever possible, online engagement occurred at the convenience of the participant – whether from a quiet space or a shopping mall with free WiFi (see the appendices for further demographic information about participants).

[4] Pākeha will be used in this report to refer to those categorised as 'European' in StatsNZ data. This category includes those who identify with a European ethnicity (eg New Zealand European, English, Dutch, etc.), with or without other ethnicities. We have chosen to use the te reo term "Pākehā" due to its grounding here in Aotearoa New Zealand.

[5] Human Rights Act 1993, s 5(2)(h).

What were the key findings from the Inquiry?

Pacific workers

While Pacific workers did tell us about their positive experiences at work, we repeatedly heard about the barriers they face at each stage of their employment journey. This included finding a job, the recruitment process, negotiating pay, seeking promotion, upskilling, and training, communication, and awareness of employment rights.

Some other barriers included:

- prejudice against Pacific names and undervaluing of qualifications and work experience in the recruitment process
- lack of pay transparency
- Pacific men being promoted over Pacific women in organisations
- feeling worthy of more pay and development opportunities but not knowing how to talk to managers about it and feeling anxious about negative repercussions
- being paid little more than minimum wage despite years of accumulated skill and experience in the same job
- remaining a contractor, casual worker, or seasonal worker for the same employer for years without an offer of secure employment
- limited awareness of rights and obligations between employees/contractors and employers on issues of pay, leave and health and safety
- agreeing in good faith to be 'promoted' by taking on new roles and responsibilities expecting more pay, but the employer does not follow through
- uneven access to training opportunities
- differing cultural norms and values and, in some cases, language barriers
- lack of cultural understanding by employers of responsibilities to extended family, dependants and community that are important to worker wellbeing
- experiences of interpersonal and workplace discrimination, including racism
- experiences of intersectional discrimination on the grounds of disability, gender identity and ethnicity
- few protections and limited awareness of employment rights, including around pay, providing fertile ground for exploitation of undocumented workers.

Pacific workers told us their talent, cultural skills, knowledge, and experience are not recognised in the workplace or, where they are, they are

not remunerated for them. Their labour is undervalued and taken for granted, and they often experience insecure employment.

Pacific workers said they actively raised complaints in their workplace, but their employers did not listen to or act on their concerns. These unaddressed concerns impacted Pacific workers' wellbeing.

Taken together, Pacific workers' experiences at each of the stages of the employment journey reveal the cumulative impact of bias, discrimination, and the undervaluing of Pacific peoples in the workplace. In each of these stages, there is an opportunity to make interventions that will eliminate practices that negatively impact Pacific workers and will contribute to closing the Pacific Pay Gap.

Unions

We spoke with several union Pacific Representative Bodies, along with individual workers who belonged to a union. As a group, Pacific peoples are highly represented in union membership. There remain many Pacific workers however who are not members of a union. We were particularly concerned to hear from Pacific workers who had been actively discouraged or prevented from joining a union. This a is a violation of their rights.

Those Pacific workers who did belong to a union were largely positive about the benefits of belonging both in terms of collective bargaining improving working conditions and pay rates and of support when they needed to raise a complaint. During our Inquiry, however, we noticed that union servicing support does not always translate into Pacific-focused or even ethnicity-focused action at the campaigning level. We urge unions to ensure that ethnicity is central to their pay equity campaigning.

Employers

We were heartened that the employers with whom we engaged during the Inquiry were open to further understanding the Pacific Pay Gap and taking action to address pay gaps. Many believed they paid their Pacific workers fairly. However, none routinely collected or had accurate ethnicity data on their workforce to know for certain. Some employers told us they had difficulty convincing their workers to provide this information.

In some cases, there was lack of alignment between governance or senior leaders and management on commitment to, how to enable and how to monitor progress on pay equity. While committed to their own pay equity values, large companies said they had little control over what third-party labour hire firms paid Pacific staff.

Employers identified twin drivers of the Pacific Pay Gap: the personal characteristics of Pacific workers as well as institutional barriers. Some felt that values cherished by Pacific workers such as loyalty may be holding them back from taking full advantage of opportunities. They noted the lack of diversity in applicants for senior roles and the impact of occupational segregation where Pacific workers are concentrated in particular occupations and at certain levels.

Pacific-owned organisations noted the pressures of securing adequate funding to deliver

the holistic services appropriate for Pacific communities. Competition for their talent on pay was especially difficult for subcontracting firms, especially beyond the tier 2 level.

What ideas for change did people share during the Inquiry?

Pacific workers shared with us what they wanted to see in their workplaces and their ideas for how to make that happen. They wanted fair remuneration, work/life balance, supportive managers who care, respect, honour and value Pacific peoples and safe and inclusive workplaces with strong health and safety practices. Their ideas for change included mentorship, pay transparency, raising the minimum wage to the living wage, pay scales, progression pathways and incentives for employees to take action on pay gaps.

Employers and unions shared their ideas for change with us. Employers also thought there were both systemic and personal drivers for the Pacific Pay Gap. They commented on the difference that some collective bargaining could make to reducing pay gaps and suggested Pacific workers could take collective action where possible. Most employers did not actively monitor ethnic pay gaps in their organisations and shared with us some of the issues they faced in trying to do so. Unions said that their campaigning work on pay equity needed to include an ethnic lens.

Recommendations

Based on what we heard in our engagements and what we learned from our research into strategies to close gender and ethnic pay gaps internationally, we have prioritised six key recommendations, which are set out below.

To further support our key recommendations and to provide further guidance for government, employers, unions and Pacific workers in the absence of existing standard guidelines, we have outlined further cross-sectoral actions for change in the conclusion to this report.

Translations of the executive summary and some of the key recommendations provided here and in the conclusion to the report are available in Pacific languages. Note that there is a shorter list of recommendations in the translated versions – the full set of recommendations is contained in this report.

The Commission's recommendations to close the Pacific Pay Gap by 2042

Key recommendations

Our six key recommendations, which we believe are essential to closing the Pacific Pay Gap within 20 years, are all actions for the Government. Some require legislative change, while others are focused on monitoring and reporting requirements or policy changes.

In advance of the release of this Report, and recognising the urgent need for action, the Commissioner has shared the high-level recommendations with Government. All six key recommendations are set out here for completeness.

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RECOMMENDATIONS FOR GOVERNMENT

1. **Urgently introduce pay transparency legislation.**
   Urgently introduce legislation requiring pay transparency. The pay transparency legislation should aim to eliminate Pacific, Māori and ethnic pay gaps as a key principle.

   Employers should be required to report annually on their pay gaps on an intersectional basis. This means doing it in a manner that reveals the differential gaps experienced by Pacific, Māori, ethnic minorities, disabled people and women. The reporting should be based on full renumeration of people within and across each level of their organisation. This information should be publicly available.

   In addition, employers should be required to prepare and report equity plans, in consultation with employees from equity-seeking groups, to address gender, ethnicity and disability pay gaps. The equity plans should include measurable targets to show how they will close pay gaps within a set timeframe.

2. **Establish a national pay equity taskforce to ensure Pacific, Māori and ethnic pay gaps are closed by 2042.**
   Resource the Ministry of Business, Innovation and Employment to establish and coordinate a collaborative taskforce (made up of Government, employer representatives, union representatives and Tangata Whenua representatives) to provide leadership and oversight on pay equity as the systems lead. The key functions of this taskforce should include, but not be limited to:

   - developing and communicating employment best-practice protocols, taking into account different-sized businesses.
   - developing and delivering resources for all workers on employment and related human rights in different community languages.
   - ensuring that reporting processes are followed by actionable, tailored and enforceable plans to address identified pay gaps.

3. **Implement the recommendations of the Tripartite Working Group on Better Protections for Contractors.**
   - This should include stronger legal protections for vulnerable workers who are on independent contracts and clearer legal definitions for employees and contractors with the aim of reducing the exploitation of vulnerable contractors.
   - Any amendments should include accessible enforcement mechanisms

4. **Ratify the International Labour Organization (ILO) 190 Violence and Harassment Convention (2019).**
   ILO 190 recognises the economic harm that can result from violence and harassment in the workplace, including gender-based violence and harassment.

   Insert the definition of violence and harassment in the ILO 190 into the Health and Safety at Work Act 2015, the Employment Relations Act 2000 and the Human Rights Act 1993 so that survivors can more easily access support, including compensation.

5. **Raise the minimum wage to the same level as the living wage to ensure that increases over time remain adequate to meet people's living costs. Ensure that, as the living wage increases, the minimum wage increases at the same rate.**
   The minimum wage should be raised to the living wage and pegged to it to ensure that increases to the minimum wage over time remain adequate to meet people's living costs.

6. **Amend the Equal Pay Act 1972 to expand prohibited grounds to also include ethnicity and disability.**
   The Equal Pay Act currently only provides for the removal of pay discrimination between men and women. We recommend amending the Equal Pay Act to expand the prohibited grounds of differentiation between rates of remuneration offered and afforded by employers from sex to also include ethnicity and disability as the first priority. Thereafter, gender identity and age should be prioritised for inclusion.

1. Introduction

O le ala I le pule o le tautua – The pathway to leadership is through service.

Samoan Proverb

The purpose of this report is to outline the findings from the Inquiry and set out the Commission's recommendations on what can be done to close the Pacific Pay Gap. It is a companion report to the literature review prepared by Matada Research Group. We recommend that people read these reports together.[1]

[1] Matada Research Group and New Zealand Human Rights Commission. *Pacific Pay Gap Inquiry Literature Review*. Auckland: Human Rights Commission, 2022.

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Key terms used in the report

The key terms used in this report are defined in Table 1.

Table 1 Key terms

Term	Definition
Contractor	A contractor is engaged by a principal (the other party) to perform services under a contract for services. Contractors are self-employed and earn income by invoicing the principal for their services. They are sometimes referred to as self-employed contractors.
Employee	A person who is employed by an employer to do any work for hire or reward under a contract of services.
Employer	A person or organisation who controls and directs an employee under a contract of hire and who pays the worker's salary or wages.
Ethnic pay gap	The difference in median hourly earnings between different ethnic populations.
Gender pay gap	The difference in median hourly earnings between women and men. At present, the data available only relates to men and women and does not include those who identify as gender non-binary or gender diverse.
Intersectionality	A way of understanding how aspects of a person's social and political identities – like their gender and ethnicity – combine to create different experiences of discrimination and privilege.
Institutional racism	Also known as systemic racism or structural discrimination, it is a form of racism that is embedded in the laws, policies and practices of a society or an organisation. It includes discrimination in areas such as criminal justice, employment, housing, healthcare, education and political representation.
Living wage	The living wage is a concept developed by advocacy groups to respond to the growing poverty and inequality experienced by workers. Unlike the minimum wage, which does not always cover people's living costs, the living wage is the hourly wage a worker needs to pay for the necessities of life and participate as an active citizen in the community. It reflects the basic expenses of workers and their families such as food, transportation, housing and childcare and is calculated independently each year by the New Zealand Family Centre Social Policy Unit.
Pacific Pay Gap	The difference in the median hourly earnings between Pacific men and women when compared to Pākehā men.
Pacific peoples	A collective term used to describe people from Polynesian, Melanesian and Micronesian countries residing in Aotearoa New Zealand. While there are commonalities between them, Pacific peoples are diverse. While other organisations and communities use the term 'Pasifika' or 'Pasefika', the Human Rights Commission uses the 'Pacific peoples' instead.
Pacific worker	A worker who identifies as being of Pacific heritage. It includes workers who were born in the Pacific Islands and those who were born in Aotearoa New Zealand.
Pākehā	The term 'Pākehā' is used in this report to refer to those categorised as 'European' in Stats NZ data. This category includes those who identify with a European ethnicity (such as New Zealand European, English, Dutch etc.) with or without other ethnicities. We have chosen to use te reo Māori term 'Pākehā' due to its grounding here in Aotearoa New Zealand.
Pay equity	Equal pay for work of equal or comparable value. It can refer to equity between genders and between ethnic groups as well as other groups.
Pay gap	The difference between the median hourly pay of different groups of people.
Pay transparency	Making information about what people are paid publicly available so workers can compare what they are paid with what others earn. It can also involve making pay scales publicly available in job advertisements.
Private sector	The part of the economy not run by the government (which is the public sector) but by individuals and organisations to make money (profit).
Worker	For the purposes of this report, we have used the term 'worker' to refer to all people who work for a living and are not an employer. This includes employees and self-employed contractors.

2. Why this Inquiry?

Fai'aki e 'ilo 'oua 'e fai'aki e fanongo – Do it by knowing, not by hearing.

Tongan Proverb

Pacific peoples in Aotearoa New Zealand have long called for action to address pay inequities, structural discrimination and poor working conditions. In the 1970s, for example, the Polynesian Panthers called for better working conditions and equal pay for Pacific workers.[2] More recently, the Advance Pasifika march in 2012 called for "decent jobs and a living wage for Pacific people in New Zealand".[3] Pacific peoples have also participated in union or other collective actions and more recently in the Commission's End Pay Secrecy campaign calling for pay transparency.[4]

In the course of putting together our report *Talanoa: Human Rights Issues for Pacific Peoples in Aotearoa New Zealand*,[5] the Commission heard directly from Pacific peoples about their experiences in the workplace. Published in December 2020, our *Talanoa* report identified the economic disadvantage Pacific peoples experienced. This was often linked to employment conditions and pay disparities as significant barriers to the realisation of their human rights.

As Aotearoa New Zealand's national human rights institution, the Commission has a mandate to inquire into these inequities.

The Human Rights Commission's mandate for this Inquiry

Under the Human Rights Act 1993, which establishes the Human Rights Commission, discrimination in employment is unlawful in Aotearoa New Zealand. In addition to the Commission's function to mediate discrimination complaints, we also have a mandated leadership role regarding equal employment opportunities. This includes pay equity.

The Act establishes at section 8(1A)(b) that one of the four Human Rights Commissioners must be focused on the priority area of equal employment opportunities. In addition, the Commission has general inquiry powers under section 5(2)(h) of the Act. This provides that the Commission can:

> inquire generally into any matter, including any enactment or law, or any practice, or any procedure, whether governmental or non-governmental, if it appears to the Commission that the matter involves, or may involve, the infringement of human rights.

The Equal Employment Opportunities Commissioner has therefore chosen to exercise the Commission's inquiry powers to give effect to her functions concerning pay equity – specifically the pay gap experienced by Pacific workers. The Terms of Reference for the Inquiry are set out in Appendix One.

[2] Anae, *The Platform – The Radical Legacy of Polynesian Panthers*.

[3] "Pacific people stage protest march in Auckland for 'better future'," Pacific Scoop.

[4] "Call for pay scale transparency law to ensure fair wages," Radio New Zealand.

[5] New Zealand Human Rights Commission. *Talanoa: Human Rights Issues for Pacific Peoples in Aotearoa New Zealand*. Wellington: New Zealand Human Rights Commission, 2020. https://apo.org.au/sites/default/files/resource-files/2020-12/apo-nid310600.pdf.

Human rights and te Tiriti framework

In Aotearoa New Zealand, te Tiriti o Waitangi provides a constitutional foundation upon which the Crown's human rights obligations rest. Te Tiriti is the founding document of Aotearoa New Zealand and established a relationship, akin to partnership, between the Crown and Māori rangatira. It affirms the rights that Tangata Whenua had prior to 1840.

Te Tiriti also gives tauiwi (non-Māori) and the Crown a set of rights and responsibilities that enabled them to settle in Aotearoa New Zealand. Upholding te Tiriti and addressing the legacy of colonisation in Aotearoa New Zealand, including structural racism, will not only benefit Tangata Whenua but also all tauiwi, including Pacific peoples.

In addition to its Tiriti commitments, the New Zealand Government is bound in international law to protect human rights.

The Universal Declaration of Human Rights (UDHR), the International Covenant on Economic, Social and Cultural Rights (ICESCR) and the International Covenant on Civil and Political Rights and associated Optional Protocols (ICCPR) – collectively known as the International Bill of Human Rights – provide the framework for the other international human rights treaties that protect and affirm the rights of particular population groups.

The right to work, the right to equal pay for equal work and the right to a decent income and working conditions are rights enshrined in the UDHR (Article 23). The right to the enjoyment of just and favourable conditions of work, including fair wages and equal remuneration for work of equal value, and an adequate standard of living is recognised in Article 7 and Article 11 of the ICESCR.

In addition, Aotearoa New Zealand has ratified several international conventions that protect the rights of ethnic minorities from discrimination in employment matters and promote equality of opportunity in employment. These include the:

- ILO Discrimination (Employment and Occupation) Convention
- United Nations (UN) Convention on the Elimination of All Forms of Racial Discrimination
- UN Convention on the Elimination of All Forms of Discrimination against Women
- UN Convention on the Rights of Persons with Disabilities.

Domestically, the Human Rights Act 1993 prohibits discrimination in employment matters, including on the grounds of ethnicity, national origin or race.

Business and human rights

The focus of the Inquiry was on the experience of workers in the private sector. It is increasingly recognised that business enterprises have an important role to play in the upholding of human rights as outlined in the UN Guiding Principles on Business and Human Rights.[6] The three core principles of these guidelines are grounded in the recognition of:

- the state's existing obligations to respect, protect and fulfil human rights and fundamental freedoms
- the role of business enterprises as specialised organs of society performing specialised functions required to comply with all applicable laws and to respect human rights
- the need for rights and obligations to be matched to appropriate and effective remedies when breached.

We have further outlined the international and domestic human rights obligations relevant to this Inquiry in Appendix Two.

[6] Ruggie, John. "Protect, Respect and Remedy: A Framework for Business and Human Rights – Report of the Special Representative of the Secretary-General on the issue of human rights and transnational corporations and other business enterprises."

UN human rights bodies have recommended action on employment matters

Appendix Three sets out the most recent recommendations of UN human rights bodies concerning Pacific peoples and employment. In addition to general recommendations to eliminate discrimination in the workplace and work, to alleviate poverty and to promote equality, the Committee for the Elimination of Racial Discrimination recommended in 2018 that Aotearoa New Zealand:

> set targets to increase representation of Māori, Pasifika and other minorities in corporate governance and senior management in the public sector, and to provide data on Māori, Pasifika and other minorities currently employed in the public sector with regard to distribution at job and managerial levels.[7]

The same year, the Universal Periodic Review recommended that Aotearoa New Zealand take action to:

> [i]mprove anti-discrimination legislation for ensuring protection of the rights of the ethnic minorities, including Māori and Pasifika communities.[8]

The Human Rights Committee in its ICCPR review in 2016 had specific recommendations regarding employment, recommending that Aotearoa New Zealand:

> [a]ddress the high unemployment rates among Māori and Pasifika, in particular Māori and Pasifika women and young people, among persons with disabilities and among migrants, through the adoption and effective implementation of comprehensive employment and vocational training strategies.[9]

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[7] Committee on the Elimination of Racial Discrimination. *Concluding Observations on the Combined Twenty-First and Twenty-Second Periodic Reports of New Zealand*. CERD/C/NZL/CO/21-22. September 22, 2017. https://www.ohchr.org/en/documents/concluding-observations/cerdcnzlco21-22-committee-elimination-racial-discrimination.

[8] Working Group on the Universal Periodic Review. *Report of the Working Group on the Universal Periodic Review: New Zealand*. April 1, 2019. https://www.ohchr.org/en/documents/reports/report-working-group-universal-periodic-review-new-zealand

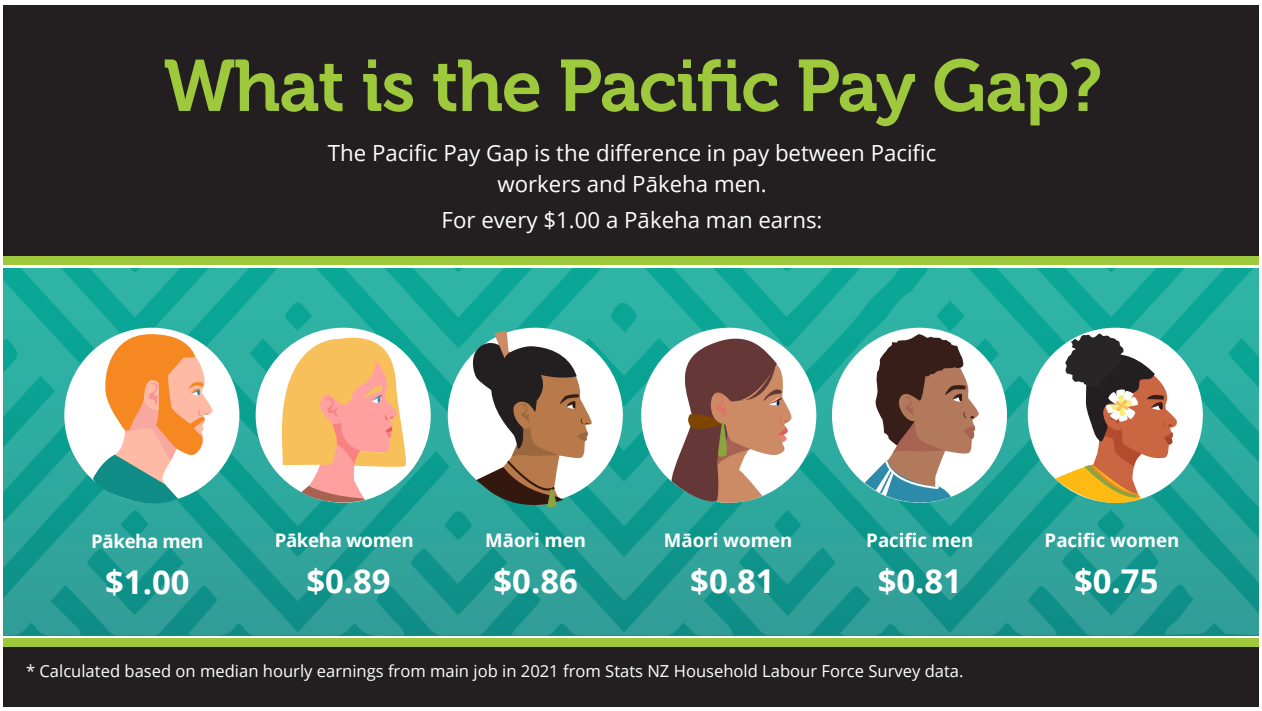
[9] Human Rights Committee. *Concluding Observations on the Sixth Periodic Report of New Zealand*. CCPR/C/NZL/CO/6. April 28, 2016. https://uhri.ohchr.org/Document/File/0e570ad0-f854-4381-a295-587308403647/F317ADB1-6058-4AD8-B46A-6F941A02AF3D.

Ethnic pay gaps are a significant human right issue

The data on the disparity between Pacific workers and workers of other ethnicities is stark and represents a significant human rights issue. In 2021, the gap between the median hourly earnings of Pacific men and Pākehā men was 18.8 percent. The gap was even larger between Pākehā men and Pacific women at 25.1 percent. Alongside Māori women, who experience an 18.9% pay gap, Pacific men and women experience the largest pay gaps compared to other ethnic groups.

This means that, for every $1.00 a Pākehā man earns, a Pacific man earns $0.81 and a Pacific woman earns $0.75 (see Figure 1).

Figure 1 What is the Pacific Pay Gap?



There is no evidence in the historical data available since 2009 that the Pacific Pay Gap is decreasing over time. As Figure 2 shows, there is no significant trend – either upwards or downwards – to suggest the Pacific Pay Gap is decreasing for men or women.

Figure 2 Percentage (%) gap in Pacific median hourly earnings from main job compared to European men (2009–2021)[10]

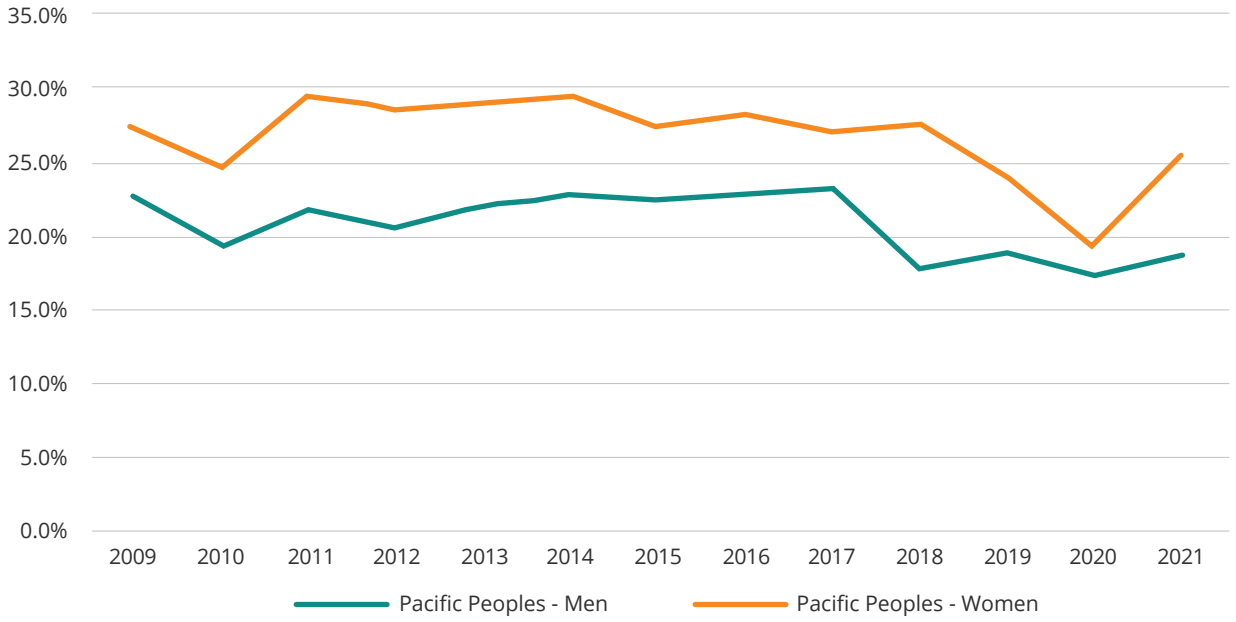


Table 2 Percentage (%) gap in Pacific median hourly earnings from main job compared to European men 2009–2021

Year	Pacific peoples –men	Pacific peoples –women
2009	22.7%	27.3%
2010	19.5%	24.9%
2011	21.7%	29.4%
2012	20.7%	28.8%
2013	22.1%	29.2%
2014	22.8%	29.6%
2015	22.6%	27.5%
2016	22.9%	28.2%
2017	23.1%	27.2%
2018	17.9%	27.6%
2019	19.0%	24.0%
2020	17.5%	19.4%
2021	18.8%	25.1%

Source: Household Labour Force Survey data from Stats NZ. Note: All percentages are compared to the reference group – Pākehā men – for each year.

[10] This figure and table as well as others in this report were produced by New Zealand Work Research Institute, Auckland University of Technology, based on available secondary data.

The Pacific Pay Gap is reflected in the economic disparities experienced by Pacific peoples relative to non-Pacific peoples. Over the course of a lifetime, unchanged pay gaps can amount to large cumulative differences. On average, in 2021, Pacific men earned $19,500 less annually compared to Pākehā men. Over the course of a lifetime, Pacific men earn $364,786 less than Pākehā men. In 2021, Pacific women earn, on average, $24,671 less than Pākehā men annually. Over the course of a lifetime, this accumulates to $488,310 difference in lifetime earnings.

Recent research reveals that working households with at least one adult of Pacific ethnicity experience the highest poverty rate (at 9.5 percent) compared to Pākehā households (at 5.9 percent).[11] This shows the need for further Government and private sector action to encourage equality in employment for Pacific Peoples in Aotearoa New Zealand.

Our Inquiry focused on the Pacific Pay Gap

In response to insights from the *Talanoa* report and consistent sets of data showing a significant pay gap between Pacific men and women and Pākehā men, the Commission launched a national Inquiry into the opportunities for closing the pay gap for Pacific peoples working in the private sector.

The Inquiry focuses on the experience of Pacific peoples as a matter of urgency, as they experience the largest pay gaps compared to other ethnic groups.

We note that Māori women also experience significant pay gaps. The Waitangi Tribunal is inquiring into the systemic discrimination, deprivation and inequities experienced associated with the alleged denial of the inherent mana and iho of wāhine Māori through Wai 2700 – the Mana Wāhine Kaupapa Inquiry. In addition, the Wai 2864 claim – which the Tribunal registered in January 2019 and is part of the Mana Wāhine Inquiry – calls on the Crown to address inequities in employment suffered by wāhine Māori.

We initially explored conducting an Inquiry into the Māori and Pacific Pay Gap and the experiences of both Māori and Pacific workers. However, due to the wide-ranging and multi-year work that the Waitangi Tribunal is undertaking, we did not want to replicate an area it would be exploring in depth from the distinct position of Tiriti rights.

We acknowledge and reaffirm the place of Māori as Tangata Whenua and as the Indigenous peoples of Aotearoa New Zealand. While we have restricted our focus in this Inquiry to Pacific peoples, we think that the findings and recommendations in this report will also be useful in exploring and addressing employment disparities faced by Tangata Whenua and other minority ethnic groups in Aotearoa New Zealand.

A note on data

The data we have drawn on in this report is available in the public domain. It includes data published by government and public sector agencies (such as Stats NZ Household Labour Force Survey and MBIE's employment service data), non-governmental organisation data and data we have commissioned. Several of the tables and charts on labour market patterns by ethnicity were prepared and provided to us by the New Zealand Work Research Institute at Auckland University of Technology.

This data is disaggregated by ethnicity and includes data held or commissioned by public agencies about Māori. While this Inquiry focuses on the Pacific Pay Gap, we have also taken the opportunity to highlight the pay gap for Māori – and for Māori women, in particular.

We acknowledge that the data we have used in this section is Māori data and recognise and respect Māori data sovereignty in relation to it. This includes Māori rights over the collection, ownership and application of Māori data.

[11] Plum, Alexander, Gail Pachecho and Rod Hick. In-work Poverty in New Zealand. Auckland: New Zealand Work Research Institute, 2019, 25. https://workresearch.aut.ac.nz/__data/assets/pdf_file/0009/326709/In-work-Poverty-in-NZ_PDF.pdf.

3. What the Commission did

Ua tuhituhi mai kae omai ke gahua auloa – Stop pointing, come and work together.

Niuean Proverb

As the Inquiry was concerned with the experiences of Pacific peoples, it was important that the Commission approached this work in an appropriate way. We undertook our Inquiry using both a human rights and culturally specific pan-Pacific approach.

Our first step was to establish a reference group to guide and support the Inquiry. The reference group was made up of leaders who have expertise in the areas of the Inquiry from both the private and public sector. It included six Pacific leaders representing the health sector, the business community and unions as well as MBIE and the Ministry for Pacific Peoples. There was an additional non-Pacific member representing the manufacturing sector.

The reference group initially met on a monthly basis to advise on the development of the Inquiry plan and to assist in promoting awareness of the Inquiry among the Pacific community. In addition, the reference group promoted participation in the Inquiry by employers.

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The focus of our Inquiry

The initial focus of our Inquiry was on three industries that have high numbers of Pacific workers: construction, manufacturing and health. Manufacturing and construction are the top industries of employment for Pacific men, with manufacturing also employing a significant portion of Pacific women. Health and social care is the top industry of employment for Pacific women. All three of these sectors were deemed essential industries during the COVID-19 lockdowns. People employed in healthcare and manufacturing worked throughout the lockdowns, while those in construction were permitted to return to work before other industries.

While the initial intention to engage the community was face to face, this changed to a survey as a result of the resurgence of COVID-19 in August 2022. And we saw that most people who filled in the survey did not come from our initial three focus industries. In response to this broader participation, we expanded the Inquiry focus.

Research commissioned

The literature review and economic analysis were commissioned to inform and complement the final Inquiry report. Both these pieces of research are referred to throughout the report.

Literature review

The literature review was undertaken by Matada Research Group, a Pacific-owned and operated firm specialising in research, consultation and programme development concerning Pacific peoples. A Pacific lecturer in law at the University of Auckland peer reviewed the literature review and the final report.

Economic analysis

Analysis of available secondary data on Pacific peoples and their experience of the labour market was commissioned from the New Zealand Work Research Institute. This work included:

- an analysis of Pacific, Māori and ethnic pay gaps and a demographic and labour market profile of Pacific peoples in relation to other ethnicities, based on the Household Labour Force Survey and New Zealand Census data
- a statistical analysis of the factors contributing to Pacific, Māori and ethnic pay gaps based on the unit record Income Survey data from Stats NZ
- an estimation of the cumulative impacts of pay gaps on Pacific peoples' overall incomes over a lifetime
- an assessment of the ethnic profile of the population whose income falls below the living wage.

An overview of our engagement

When this Inquiry was initiated, our intention was to reach as many Pacific peoples as possible across Aotearoa New Zealand. We called for public submissions for six months with a closing date of 31 March 2022. During this period, we used various channels to communicate and engage with Pacific peoples on their experiences with the Pacific Pay Gap. This included surveys, workshops, webinars, videos, one-on-one talanoa online and face to face and group talanoa online as well as face to face. For a discussion of talanoa, along with our other methods of engagement, please refer to Appendix Four.

Submissions represented a range of people's voices, including those of the rainbow community, youth, students, Tagata Sa'ili Mālō/Pacific disabled people, business owners (large and small), employers, non-governmental organisations, government officials, community leaders, senior leaders in professional roles, Pacific churches, social activist groups, union members, union delegates and Pacific representative bodies, various Pacific business and community trusts, unemployed Pacific people, Pacific academics and Pacific workers' families[12].

In total, we received approximately 470 different forms of oral contributions from Pacific individuals, groups and employers and 738 written survey submissions. Due to the sensitive nature of the Inquiry, all of the survey questions were optional, and respondents were always provided the option to refuse to answer. We wanted to ensure everyone responding to the survey felt safe doing so and that they responded to questions they felt comfortable with given the context. Hence, the total number of responses to the individual questions varies from question to question (including the demographic questions).

Through the various forms of engagement, we heard strong and consistent themes emerging again and again to the point of saturation. These themes form the body of this report.

The oral evidence shared in the numerous talanoa was rich and deep and would often last several hours – especially compared to workshops or interviews, which were typically around an hour. In these forms of engagement, we did not restrict the talanoa to fit a time schedule but allowed Pacific workers to share as they felt moved to do.

Between 7 December 2021 and 31 March 2022, we made and released 12 separate videos about the Pacific Pay Gap and shared these via our website and various social media channels. Most videos received several thousand views, with the more recent ones reaching between 15,000 and 20,000 views each as pay equity campaigns have gathered momentum. Overall, our Facebook views alone for these videos exceeded 100,000 views.

We held three successful webinars on the Pacific Pay Gap on 8 September 2021, 24 November 2021 and 19 July 2022. Each webinar attracted 100–200 attendees via Zoom and several thousand via Facebook Live.

We want to acknowledge the many Pacific workers who shared verbally and in written form their appreciation and gratitude that we were addressing the Pacific Pay Gap. Many of these people wanted to know more about the Pacific Pay Gap and were thankful that they were able to share their employment journey with the team in a safe space. They shared with us that they felt they were valued and heard.

For further details of the way we approached our engagements, including a demographic breakdown of survey respondents and a discussion of talanoa, please refer to Appendix Four.

[12] Some participant comments used in this report have been edited slightly to assist readability.

The impact of COVID-19 on Inquiry engagements

On 17 August 2021, the Government placed the country into a nationwide lockdown due to the detection of a community case of COVID-19 in Auckland. Aucklanders remained in an Alert Level 3 lockdown for a further six weeks, severely limiting their freedom of movement, while the rest of the country moved to Alert Level 2.

The circumstances of this outbreak and the subsequent lockdown had huge impacts on the Pacific community, particularly as Auckland is home to the largest Pacific community in the country. Pacific communities were highly represented among essential workers and among those likely facing hardships directly linked to the lockdowns.

As a result of the numerous lockdowns, our engagement strategy was impacted.

While there were some opportunities to engage with the community online, there were several limitations to this approach. Many of our planned face-to-face interactions had to be cancelled. This included our South Island roadshow and our plans to hold stalls at markets at the Pasifika Festival (which was cancelled due to the Omicron wave of COVID-19 in early 2022).

During this period, the online space was highly saturated with government agencies, civil society, NGOs and unions engaging with Pacific communities. At the time of our planned engagement, this saturation was critical as Pacific communities were dealing with being the least vaccinated population while having the highest rates of COVID-19.

In addition, Pacific communities were scapegoated, experiencing racism and discrimination from the public at large concerning the spread of the virus.[13]

In terms of the Inquiry, this contributed to a reluctance to engage. The project team was careful to be reasonable and respectful in approaching Pacific workers for their involvement in the Inquiry at this difficult time. For further details of how we adapted our engagement in response to the resurgence of COVID-19, please refer to Appendix Four.

Confidentiality

To preserve the anonymity of individuals and organisations, we only refer to people's views and stories throughout this report using the number by which we have coded their contribution and their industry. Confidentiality was an important part of our Inquiry as it allowed us to protect vulnerable workers, particularly from any repercussions for speaking about their experiences. It also allowed employers to share their views with us freely.

A list of Inquiry participants' numerical identifiers along with basic demographic information is included in Appendix Five.

Recognised Seasonal Employer (RSE) scheme workers

We note that the Inquiry and this report do not focus on the experiences of Pacific workers in the RSE scheme. We acknowledge these Pacific workers and recognise that they experience significant human rights issues.

Alongside this Inquiry, the Commission has undertaken work concerned with the scheme – see, for example, our submission to the Inquiry on Migrant Exploitation.[14] In addition, there is a discussion of the RSE scheme in the accompanying literature review, and we refer readers to that discussion.

[13] Pickering-Martin, Emmaline. "Here We Go Again: Covid and Racism." E-Tangata, August 29, 2021. https://e-tangata.co.nz/comment-and-analysis/here-we-go-again-covid-and-racism/.

[14] New Zealand Human Rights Commission. *Submission on the Inquiry into Migrant Exploitation: Submission of the Human Rights Commission*. Wellington: New Zealand Human Rights Commission, 2022. https://www.parliament.nz/resource/en-NZ/53SCEW_EVI_116341_EW4994/0d395bc869d1d39c72b1d4b6001bed5d484df232

4. Understanding pay gaps

He waka eke noa – We are all in this together.

Māori Proverb

Before we set out what we heard in our engagements, we outline what pay gaps are – first starting with the gender pay gap then moving on to ethnic pay gaps – before considering what the combined ethnic and gender pay reveals and what the cumulative impact of the pay gap is over time. We then discuss some limitations when accounting for the explained and unexplained portions of the pay gaps. There is a discussion of the migrant pay gap and those for disabled workers and rainbow workers in the accompanying literature review.

As discrimination is a significant factor in explaining the Pacific Pay Gap, we conclude this section by briefly outlining what we know about ethnic and racial discrimination in the workplace.

Gender pay gaps

The gender pay gap is a high-level indicator of the difference in pay experienced by men and women in the workplace. There are several ways of measuring gender pay gaps, with different strengths and limitations. However, the key message is that, no matter what technical approach is taken to measure gender pay gaps, the results tend to be remarkably consistent: men are generally paid more than women.

One way to measure the gender pay gap is to compare the annual pay of full-time workers. However, this indicator excludes part-time workers. This is an important concern with measuring the gender pay gap as women are more likely to work part-time in paid employment than men.

An alternative measurement relies on hourly pay. It compares the average or mean hourly pay of men and women. This measurement focuses on the difference between the main wage of men and women, sometimes referred to as base pay. It can take into consideration the difference in earnings of men and women overall, including in the calculation of any bonus pay received or benefits (such as cars and KiwiSaver contributions).[15]

A third means of measuring the gender gap is the one used most commonly in Aotearoa New Zealand. This is based on the gap between men and women using the metric of median hourly earnings. In 2021, the gender pay gap in Aotearoa New Zealand was 9.1 percent.[16] This gap is consistent with that measured in the three years prior to 2021.[17]

There are many different drivers for the gap in pay between men and women:

- unequal distribution of caring roles between men and women as women continue to shoulder more unpaid care and domestic work.[18]
- interruption to career progression and changing patterns of work associated with parenthood that impacts women more significantly than men.[19]
- occupational stereotyping, which means that men and women tend to study different subject matter areas and work in different occupations (also known as occupational segregation). Jobs where women are overrepresented tend to be less valued than jobs where men predominate.[20]
- overrepresentation of men in leadership roles and in high-paid work, while women are overrepresented in low-paid work (also known as vertical segregation).[21]
- Gender-based discrimination.[22]

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[15] Strategic Pay. *Pay Equity: Analysing the Gender Pay Gap in New Zealand*. Auckland: Strategic Pay, 2021. https://www.strategicpay.co.nz/site/strategicpay/2021%20Pay%20Equity%20Booklet.pdf?utm_source=website&utm_medium=text+link&utm_campaign=Pay+Equity+Booklet+2021+PDF+Download.

[16] Ministry for Women. "Gender Pay Gap." August 20, 2021, https://women.govt.nz/work-skills/income/gender-pay-gap.

[17] Ministry for Women, "Gender Pay Gap."; Stats NZ. "Gender Pay Gap Unchanged." August 18, 2021. https://www.stats.govt.nz/news/gender-pay-gap-unchanged.

[18] Ministry for Women, "Gender Pay Gap."; Dey, Monica, Caroline White, and Sanmeet Kaur. *The Pay and Progression of Women of Colour.* London: The Fawcett Society, 2022. https://www.fawcettsociety.org.uk/Handlers/Download.ashx?IDMF=c1300375-f221-4a88-8c66-edf3c30bd2c7; Ministry for Women. *Gender Inequality and Unpaid Work: A Review of Recent Literature*. Wellington: Ministry for Women, 2019. https://women.govt.nz/sites/public_files/Gender%20inequality%20and%20unpaid%20work%20.pdf.

[19] Dey et al., *The Pay and Progression of Women of Colour*; Stats NZ and Ministry for Women. *Effect of Motherhood on Pay – Methodology and Full Results*. Wellington: Stats NZ, 2017. www.stats.govt.nz (https://www.stats.govt.nz/assets/Reports/Effect-of-motherhood-on-pay-methodology-and-full-results/effect-of-motherhood-on-pay-methodology-full-results.pdf.

[20] Strategic Pay, *Pay Equity: Analysing the Gender Pay Gap in New Zealand*; Stats NZ and Ministry for Women, Effect of Motherhood on Pay.

[21] Strategic Pay, *Pay Equity: Analysing the Gender Pay Gap in New Zealand*; Ministry for Women, "Gender Pay Gap."

[22] Strategic Pay, *Pay Equity: Analysing the Gender Pay Gap in New Zealand*; Ministry for Women, "Gender Pay Gap."

Pacific, Māori and Ethnic Pay Gaps

Pay gaps can also be assessed and measured in terms of ethnicity. In Aotearoa New Zealand, the pay of Māori, Pacific, Asian and Middle Eastern/Latin American/African (MELAA) ethnic groups is assessed and measured in comparison to Europeans (Pākehā or New Zealand Europeans). While there are several different indicators that can be used to measure Pacific, Māori and ethnic pay gaps, the results, like those for the gender pay gap, are reasonably consistent.

Data to measure the ethnic pay gap in Aotearoa New Zealand has only been available since 2009. These figures reveal that Pacific peoples consistently experience the largest pay gaps compared to other ethnic groups (see Table 3). Since 2009, this gap has shown no indication that it is closing.

Table 3 Percentage (%) ethnic pay gap in median hourly earnings from main job compared to European (2009–2021)

Year	European	Māori	Pacific peoples	Asian	MELAA
2009	ref	13.1%	18.1%	10.6%	9.5%
2010	ref	14.3%	18.4%	9.0%	4.0%
2011	ref	16.4%	21.0%	10.9%	10.9%
2012	ref	13.5%	18.7%	14.6%	4.4%
2013	ref	16.7%	20.0%	11.1%	23.6%
2014	ref	15.3%	20.9%	14.4%	13.1%
2015	ref	16.8%	20.0%	12.0%	16.6%
2016	ref	15.8%	21.1%	13.8%	11.8%
2017	ref	13.7%	20.6%	12.5%	8.7%
2018	ref	13.9%	17.0%	11.5%	0.4%
2019	ref	14.3%	16.3%	10.6%	3.2%
2020	ref	11.1%	14.7%	8.8%	1.1%
2021	ref	13.3%	16.7%	9.5%	2.5%

Source: Household Labour Force Survey data from Stats NZ. Note: All percentages are compared to the reference group – European – for each year. MELAA statistics should be interpreted with caution.

The factors contributing to the ethnic pay gap are similar to those we outlined above that drive the gender pay gap. Like women, Māori, Pacific and Asian workers face occupational segregation and vertical segregation. This means they are overrepresented in lower-paid occupational groups and there are relatively fewer ethnic minorities in leadership and senior roles. In addition, racism – both interpersonal and institutional – are factors contributing to these patterns.

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Exploring the ethnic pay gap further

Two recent quantitative studies have explored the ethnic pay gaps in Aotearoa New Zealand in further depth – one by the Treasury[23] in 2018 and the other commissioned for this Inquiry by the New Zealand Work Research Institute[24] in 2022. These studies controlled for individual-level characteristics (such as age and location), education level and job-related factors (such as industry, occupation and contract type) to try and account for the factors that explain the gaps.

The Treasury study found that educational level and occupation contributed the most to explaining pay gaps between Pacific peoples and Pākehā. These findings were updated with 2021 data by the New Zealand Work Research Institute. For Pacific peoples, they found that job-related characteristics explained just under half of the pay gap compared to Europeans. Educational attainment was also a significant contribution to explaining the ethnic pay gap, especially between Pacific and European women.

It is important to note that educational attainment may become even more of a factor contributing to the ethnic pay gap for Pacific peoples in the future.[25] The recent Inquiry into School Attendance presented to Parliament reveals that Pacific school students' regular school attendance has been on a downward trend since 2015. COVID-19 interrupted this trend briefly, with Pacific students attending school at a slightly higher rate in 2020. However, in 2021, the rates of attendance for Pacific students declined again.[26] Regular school attendance is foundational to student achievement, and if this troubling trend continues, it can be expected to adversely affect the Pacific Pay Gap.

Additionally, the New Zealand Work Research Institute found that Pacific peoples were disproportionately located in Auckland where wages are higher.[27] The authors noted that, if the Pacific population were more dispersed across the country, the ethnic gap between Pacific peoples and Europeans would increase.

These authors found that a substantial portion of the pay gaps experienced by Pacific peoples was not explained by observable characteristics such as educational attainment and job-related characteristics. This unexplained portion was likely to be attributable to a range of reasons, including missing data, differences in preferences in the non-wage components of the job, unconscious bias and discrimination.

Further, discrimination (both structural and interpersonal) and unconscious bias will also affect what is considered the explained portion of pay gaps, as well as the parts that are not explained. Treasury have previously commented on this second issue:

> This means that the 'explained' component of the wage gap is not free from the effects of discrimination, and discrimination, if it exists, is likely to be contributing to both the 'explained' and 'unexplained' portions of the earnings gap.[28]

Education provides a good example of where the pay gap may be impacted by both explained and unexplained factors. While education level is used to help explain part of the pay gap, discrimination may well have played a role in the level of education a person attains. An example of this is in low expectations of teachers shaping educational achievement for Pacific students. There is a significant body of research that shows the impact of structural discrimination in education, including the Commission's overview in our report *A Fair Go for All?* [29]

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[23] New Zealand Treasury. *The New Zealand Pacific Economy*. Wellington: New Zealand Treasury, 2018. https://www.beehive.govt.nz/sites/default/files/2018-11/NZ%20Pacific%20Economy%20Report%2013%20November%202018_0.pdf.

[24] Cochrane, Bill, and Gail Pacheco. *Empirical Analysis of Pacific, Māori and Ethnic Pay Gaps in New Zealand*. Auckland: New Zealand Work Research Institute, 2022. https://secureservercdn.net/45.40.152.202/76v.71b.myftpupload.com/wp-content/uploads/2022/07/PPG-Inquiry-Empirical-analysis-of-Pacific-Maori-and-ethnic-pay-gaps-in-New-Zealand.pdf.

[25] Education and Workforce Committee. *Inquiry into School Attendance: Report of the Education and Workforce Committee*. 2022. https://www.parliament.nz/resource/en-NZ/SCR_121164/92dac6fd9a9ea51f7aff84e523dfaaeefd6ca168.

[26] Education and Workforce Committee, *Inquiry into School Attendance*, 12.

[27] Cochrane and Pacheco, *Empirical Analysis of Pacific, Māori and Ethnic Pay Gaps in New Zealand*, 9.

[28] New Zealand Treasury. *Statistical Analysis of Ethnic Wage Gaps in New Zealand*. Wellington: New Zealand Treasury, 2018, 16. https://www.treasury.govt.nz/sites/default/files/2018-08/ap18-03.pdf.

[29] New Zealand Human Rights Commission. *A Fair Go for All? Rite Tahi Tātou Katoa? Addressing Structural Discrimination in Public Services*. Auckland: New Zealand Human Rights Commission, 2013. https://www.hrc.co.nz/files/2914/2409/4608/HRC-Structural-Report_final_webV1.pdf.

Taking an intersectional approach to the gender and ethnic pay gaps

It was important for our Inquiry to not only understand the ethnic pay gap for Pacific peoples but also how it intersects with the pay gap between men and women. While there are some similarities in the employment experiences of Pacific men and women, there are also some differences.

The UN Committee on the Elimination of Discrimination against Women (CEDAW) recognised this difference. In its 2018 recommendation, CEDAW said Aotearoa New Zealand should examine and address the discrimination that Pacific women experience through employment and the legal system.[30] This recommendation recognises that various dimensions of inequality operate together and may even exacerbate each other. Focusing solely on ethnic pay gaps means the experience of Pacific women could be overlooked.

Likewise, if pay gaps are examined solely through the lens of gender, the different experience of discrimination that Pacific women experience compared to European women is not as evident. For the purposes of the Inquiry, we have therefore taken an intersectional approach to gender and ethnicity.

Table 4 illustrates the gender-ethnic pay gaps for all ethnic groups in Aotearoa New Zealand. It uses median hourly earnings from the main job each year by ethnicity and gender compared to European men for 2021.

Table 4 Percentage (%) gender ethnic pay gap in median hourly earnings from main wage compared to European men

Year	Men					Women				
	European	Māori	Pacific peoples	Asian	MELAA	European	Māori	Pacific peoples	Asian	MELAA
2021	ref	14.2%	18.8%	13.8%	-0.3%	11.2%	18.9%	25.1%	17.1%	12.2%

Source: Household Labour Force Survey data from Stats NZ. Note: All percentages are compared to the reference group – European. MELAA statistics should be interpreted with caution.

Disaggregating pay gaps by ethnicity and gender teases out the differential experience of pay gaps of men and women of different ethnicities. This data set reveals that all women in Aotearoa New Zealand earn less than their male counterparts of the same ethnicity. However, European women earn more than Māori, Asian, MELAA and Pacific men.

This data also reveals stark differences in income for Pacific men and women. Among men, Pacific men face the largest pay gap in comparison to European men (18.8 percent). Looking across both genders, Pacific women fare even worse – the pay gap between Pacific women and European men is 25.1 percent (see Table 4).

These differences are even more pronounced when we observe average weekly rather than hourly earnings from main job by ethnicity and gender (see Table 5). For women of all ethnicities, the pay gap in average weekly earnings from their main job significantly increases when compared to average hourly earnings.

As before, this gap is largest for Pacific women, who experience 34.9 percent fewer weekly earnings from their main job compared to European men. The most likely driver of this difference is the larger share of women engaging in part-time work and/or childcare. This is supported by higher underutilisation rates for women when compared to men, with these differences being most acute for Pacific women.

[30] Committee on the Elimination of Discrimination against Women. *Concluding Observations on the Eighth Periodic Report of New Zealand*. CEDAW/C/NZL/CO/8. July 25, 2018. https://www.ohchr.org/en/documents/concluding-observations/cedawcnzlco8-concluding-observations-eighth-periodic-report-new.

Table 5 Percentage (%) gender ethnic pay gap in median weekly earnings from main job compared to European men

Year	Men					Women				
	European	Māori	Pacific peoples	Asian	MELAA	European	Māori	Pacific peoples	Asian	MELAA
2021	ref	13.2%	23.4%	15.2%	4.6%	25.5%	30.6%	34.9%	29.9%	23.7%

Source: Household Labour Force Survey data from Stats NZ. Note: All percentages are compared to the reference group – European men – for each year. MELAA statistics should be interpreted with caution.

The occupational distribution for Pacific men and women, as noted already, is contributing to pay gaps. For example, only 8.5 percent of Pacific men and 8.1 percent of Pacific women hold manager roles compared to 21.3 percent of Pākehā men and 14.0 percent of Pākehā women (see Table 6).

Table 6 Occupation distribution for Pacific peoples by gender compared to NZ European aged 20–64 years (2018 Census data)

Share by occupation	Men		Women	
	NZ European	Pacific peoples	NZ European	Pacific peoples
Manager	21.3%	8.5%	14.0%	8.1%
Professionals	9.2%	5.1%	8.8%	8.0%
Technicians and trade workers	23.7%	17.6%	5.4%	3.5%
Community and personal service workers	5.2%	8.1%	15.7%	19.1%
Clerical and administrative workers	5.2%	6.2%	30.9%	20.6%
Sales workers	7.5%	4.5%	14.6%	14.2%
Machinery operators and drivers	14.2%	25.8%	2.0%	6.7%
Labourers	13.6%	24.2%	8.6%	19.9%

Source: Pacheco et al. (2022)[31] using 2018 Census data.

The Pacific Employment Action Plan, launched by the Government in May 2022, recognises the intersectional pay gap for Pacific women. It notes:

> Pacific women's high rates of participation in historically female-dominated industries where labour is undervalued, as well as barriers faced by Pacific women in progressing into higher-paid careers or occupations including a lack of culturally relevant development support from employers, a lack of awareness or bandwidth to engage in educational or training opportunities, and difficulty in returning to work from having a child or taking up family responsibilities like caring responsibilities.[32]

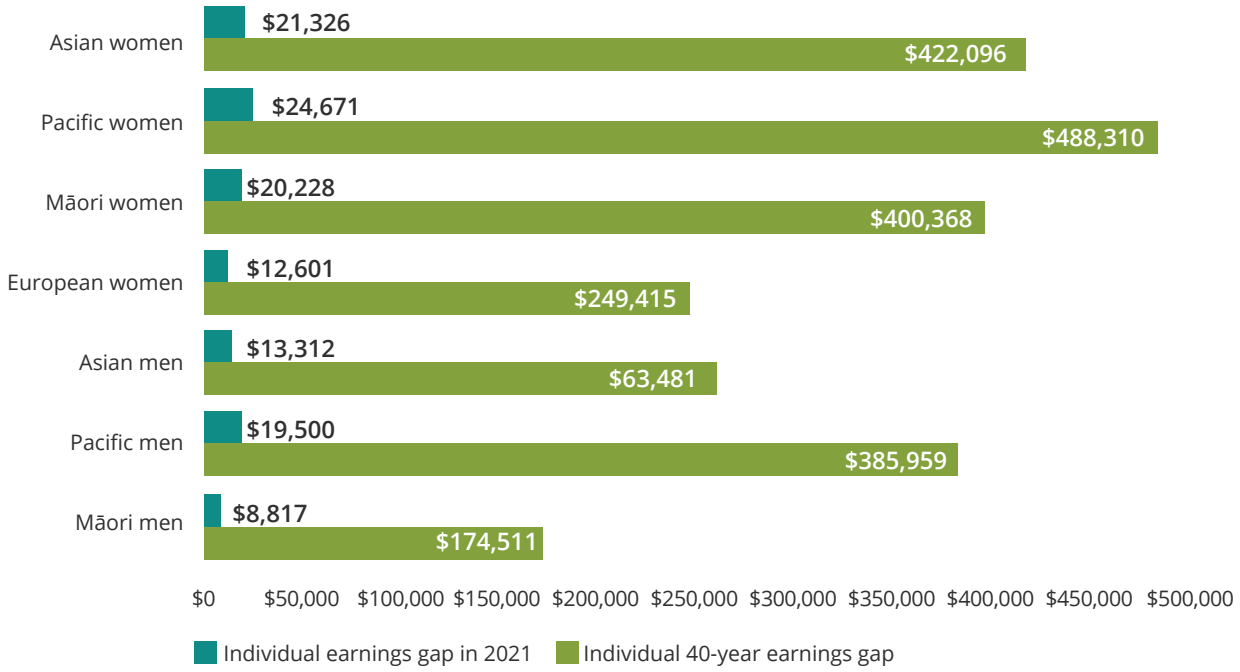
[31] Pacheco, Gail, Alexander Plum, and Linda Tran. *The Pacific Workforce and the Impact of COVID-19*. Auckland: New Zealand Work Research Institute, 2022. https://workresearch.aut.ac.nz/__data/assets/pdf_file/0009/674559/Pacific-Labour-Market-Outcomes_final_website.pdf.

[32] Ministry for Pacific Peoples. *Pacific Employment Action Plan – Prosperous Pacific Communities*. Wellington: Ministry for Pacific Peoples, 2020, 10. https://www.mpp.govt.nz/assets/Corporate-Publications/Pacific-Employment-Action-Plan-FINAL-approved.pdf.

Cumulative effects of the Pacific Pay Gap

Over the course of a lifetime, unchanged pay gaps can amount to large cumulative differences (see Figure 3). On average, Pacific men earn $19,500 less annually compared to European men. Over the course of a lifetime, Pacific men earn $385,959 less than European men. For Māori and Asian men, this is $174,511 and $263,481 respectively. On average, Pacific women earn $24,671 less annually compared to European men. Over the course of a lifetime, this amounts to $488,310 less than European men. For Māori and Asian women, this is $400,368 and $422,096 respectively.

Figure 3 Estimated cumulative impact of average 2021 pay gap for men and women over the course of 40 years compared to European men



Source: Household Labour Force Survey data from Stats NZ. Note: Calculations are based on median earnings for full-time workers in 2021 broken down by ethnicity, gender and age. Earnings are in 2021 dollars and inflation rate is assumed to be 4 percent. Data for MELAA was insufficient for analysis. Net present value of the pay gap was calculated using the average pay gap in annual median income (by ethnicity, gender and age) using a 40-year period and inflation rate of 4%.

What we know about racial discrimination in the workplace

As discrimination is a factor in the Pacific Pay Gap – in both its explained and unexplained portions – we briefly outline here what we know about the discrimination Pacific peoples' experience in employment. This includes:

- research we commissioned on the prevalence of bullying and harassment
- our own data relating to discrimination in employment
- data from MBIE
- data from the General Social Survey run by Stats NZ
- data from Diversity Works' Workplace Diversity survey
- findings from the engagement the Commission undertook to inform the development of a National Action Plan Against Racism.

Research into bullying and harassment

In June 2022, we commissioned Kantar Public to undertake a national survey of 2,512 workers in Aotearoa New Zealand to understand the prevalence of the experience of sexual harassment, racial harassment and bullying in the workplace.[33] The survey asked people to respond to a range of listed behaviours under each of these headings.

When disaggregated by ethnicity, the survey showed that Pacific workers fared the worst for all of these forms of workplace mistreatment. For example, 35 percent of Pacific men and 43 percent of Pacific women identified having experienced at least one type of behaviour associated with sexual harassment in the last five years. This compares to the rate of 30 percent experienced by the workforce overall.

For racial harassment, 62 percent of Pacific peoples reported experiencing at least one of the 12 racial harassment behaviours measured in the survey. Asian workers also reported the same rate of racial harassment, followed by Māori at 52 percent. Pacific workers were the most likely ethnicity to report experiencing multiple racial harassment behaviours. Over a third of Pacific workers (37 percent) were found to have experienced four or more of the types of racial harassment the survey captured over the last five years.

Pacific peoples were the ethnic group most likely to report that they had often or always experienced at least one workplace bullying behaviour listed in the survey. For Pacific workers, 26 percent reported this prevalence of bullying, while for Māori, it is 22 percent, NZ European 20 percent and Asian 18 percent.

Given that Pacific workers disproportionately experience these forms of workplace violence, they are therefore likely to disproportionately suffer the impacts. For example, the same study found that workers who experienced bullying or harassment reported that they found it harder to do their job (29 percent), resigned from their job (21 percent), left the industry (10 percent), had their job or career prospects affected (9 percent) and found it difficult to get another job (5 percent). In addition, many of these impacts continued to affect workers in an ongoing way (63 percent), resulting in longer-term impacts. Very few accessed external complaints mechanisms, with 1 percent reporting that they contacted the New Zealand Human Rights Commission, the Employment Relations Authority

[33] New Zealand Human Rights Commission. *Experiences of Workplace Bullying and Harassment in Aotearoa New Zealand*. Wellington: New Zealand Human Rights Commission, 2022. https://www.hrc.co.nz/files/3816/6233/0960/New_Zealand_Human_Rights_Commission_-_Experiences_of_Workplace_Bullying_and_Harassment_in_Aotearoa_New_Zealand-compressed.pdf.

or MBIE respectively. This evidence suggests that the unequal experience of workplace bullying and harassment is likely to contribute to the Pacific Pay Gap, including in ways that are not measured in a pay gap analysis that looks at hourly pay (for example, periods of unemployment due to an unforeseen resignation).

Commission and MBIE employment discrimination data

One of the Commission's core functions is to respond to complaints and enquiries from the public concerning discrimination. Our complaints and enquiries data from 2018 to mid-2022 shows that we received 547 complaints or enquiries from people who identified as Pacific peoples. Of these matters, 129 – or 23.6 percent – related to employment.

If employees are concerned that they are being treated unfairly, they have the option of seeking dispute resolution or contacting the Labour Inspectorate through MBIE. Data from MBIE's Employment Mediation and Early Resolution services showed that, between November 2020 and September 2021, 6 percent of the 2,339 people using their Early Resolution service identified as Pacific. This compares with less than 1 percent of the 7,346 people using the more formal mediation services. MBIE notes, however, that only 10 percent of people using their employment mediation services provide ethnicity information. This is much lower than the 85 percent of those using the Early Resolution services who shared ethnicity information.

Survey data on experiences of discrimination

The Survey of Working Life conducted between October and December 2018 found that around 300,000 employed people, or 11 percent of workers, said they had experienced discrimination, harassment or bullying in the previous 12 months, most commonly because of their ethnicity.[34] Asian and Māori ethnic groups both reported a rate of discrimination, harassment or bullying of 13 percent, while Pacific and European ethnic groups both had rates of 11 percent. Across all ethnic groups, women reported higher rates of discrimination, harassment or bullying than men.

[34] Stats NZ. "One in 10 Workers Feels Discriminated Against, Harassed, or Bullied at Work." June 21, 2019. https://www.stats.govt.nz/news/one-in-10-workers-feels-discriminated-against-harassed-or-bullied-at-work.

A report derived from an earlier General Social Survey found that discrimination on the basis of race or ethnicity is the most frequent form of discrimination that people experience and that discrimination is most common in employment settings.[35] This report noted that migrants are more likely to experience racial discrimination in the workplace than people born in Aotearoa New Zealand. It concluded that racial discrimination was not only associated with a person's ethnic group but also where they were born.

A 2021 survey by Diversity Works, which surveyed 800 people across the public and private sectors in a variety of industries and organisations, found that 57.3 percent of respondents indicated conscious and unconscious bias influenced decision making in their organisation and was a significant issue. Bias ranked second in all respondents' concerns. The survey report called for urgent work in this area, noting that "with insufficient or no measurement or evaluation of diversity initiatives, including combatting workplace bias, very little will transform this issue".[36]

Findings from engagement on the development of a National Action Plan Against Racism

We note here other work that the Commission has done alongside this Inquiry to inform the development of a National Action Plan Against Racism. Led by Race Relations Commissioner Meng Foon and Pou Arahi Tricia Keelan, this project engaged with the community to hear their experiences of racism and ideas for change. In these engagements, racism in employment emerged as a significant issue, especially for recent migrants.

Participants in this project described how they felt the need to hide or minimise their ethnic or cultural identity when they went to work and to behave more like Pākehā so that they could fit in. People from migrant backgrounds shared their experiences of instability in the job market due to barriers such as language and cultural misunderstandings and racist attitudes towards migrants. Their vision was for a workplace where their cultural competency and expertise as well as lived experiences were recognised skills and remunerated accordingly.

[35] Stats NZ. *Working Together: Racial Discrimination in New Zealand*. Wellington: Stats NZ, 2012. https://www.stats.govt.nz/assets/Uploads/Retirement-of-archive-website-project-files/Reports/Working-together-Racial-discrimination-in-New-Zealand/working-together-racial-discrimination.pdf.

[36] Diversity Works. *New Zealand Workplace Diversity Survey 2021*. Auckland: Diversity Works, 2021, 17. https://diversityworksnz.org.nz/media/4750/0521-diversity-survey-report-final.pdf.

5. What Pacific workers told us

E u'u no te akau roa ka oki rai ki te akau roa – The parrotfish from the long reef will always return to the long reef.

Cook Islands Proverb

This section outlines what we heard from the Pacific workers during our engagement for the Inquiry. The findings have been organised according to themes that are presented in an order that roughly follows the chronology of a Pacific worker's employment from recruitment onwards.

We grouped what we heard into 12 key theme areas covering:

- experiences in recruitment
- retention and pay negotiation
- barriers to promotion
- upskilling and training opportunities
- a lack of awareness and enforcement of workers' rights
- cross-cultural communication issues
- experiences of self-employed contractors
- being undervalued in the workplace
- experiences of interpersonal racism
- institutional racism in the workplace
- experiences of intersectional discrimination
- experiences of raising a concern.

What the stories we heard from Pacific workers collectively reveal is that they experience barriers at every stage of the employment journey. These barriers contribute to a persistent pay gap for Pacific workers. The good news is that, at each of these points, there is also an opportunity to make interventions that will eliminate these practices and contribute to closing the Pacific Pay Gap.

Experiences in recruitment

The first stage of the employment journey is the process of finding a job. Pacific peoples experience barriers as soon as they enter the labour market. The key themes we heard from Pacific workers about recruitment were:

- discrimination in the recruitment process
- Pacific names can be a barrier
- qualifications and work experience are undervalued
- lack of pay transparency by employers
- opportunities for Pacific peoples to support each other.

Discrimination in the recruitment process

Pacific workers told us they had experienced discrimination when applying for jobs, with one person commenting "I have found this easier if I exclude references to being Pacific generally speaking" (S158). Another told us of their general experience of "instantly being looked over for someone else who has less experience but a better face for the company" (S202).

During an interview or hiring process, people spoke about the limiting nature of the stereotypes they encountered. One Pacific worker spoke about the low expectations that recruiters would explicitly use:

> Anyway, we would rock up because they'd say, "You go there to register and then to find jobs." I was waiting. My husband went in to be interviewed, then he comes out and I go in. They kept saying, "Oh they are looking for some lead down here at this factory and I think you'll be good." So, of course, I'm not born yesterday. I tried to … I was thinking, "It's so direct. It's so racist. What the hell?" Anyway, they did it to my husband too. They said, "You're a strong man and be good for bricklaying." (T002)

A Pacific education worker told us about her experience applying for a teacher aide position at a local primary school:

> After the interview, I didn't hear from them until I called and asked if the job had already been taken, which it already was. I strongly feel that I – as a Pacific Islander is one of the main reasons – I didn't get the job. They did take a white girl whom

> I feel I got more experience than her – not to belittle her. Also I've been working for the after-school care at the same school for the last two years and I know most of the kids there. (S280)

Additional barriers were identified, including Pacific names, language, accent and connections. One Pacific construction worker told us "I tried to do some private work as an electrician – I tried to find work, but when someone rings you and recognise your accent, then they put the phone down" (T001).

Pacific names can be a barrier

Several Pacific workers identified that their names had proved a barrier and relayed examples where they changed their name to a Pākehā name and started getting interviews. A Pacific healthcare worker shared this experience:

> After postgraduate studies, I applied for so many jobs and I was wondering why I have been declined so many times, and then I changed my name to a Palagi name and I got a job. This has indicated to me the need to change the system, as to me it was racism. Just because I have a beautiful Tongan name does not mean I can't do the work equally or better than my European counterpart. (S110)

One Pacific key informant told us about a young woman who had experienced exclusion via online methods as well as traditional methods:

> This young woman, she said, "There's no point in going through Seek and the normal mainstream ways of recruiting because they never look at them." Their names are different and unpronounceable, and they're from South Auckland or from Timbuktu, so they don't get a chance. (T002)

Several Pacific workers across multiple sectors told us about situations where other people, particularly Pākehā, were selected for roles over them, which they perceived to be due to their Pacific names and ethnicity. A Pacific social services worker told us "sometimes I feel discriminated against because I am Samoan" (S502).

One Pacific government worker commented that "recruiters tend to overlook people due to their names" (S623), while a Pacific health worker shared that she was "judged by my last name. I changed it to my mum's Palagi maiden name and got many calls. Before that, I hardly received any contact from recruiters." (S130).

Pacific peoples experience discrimination not only when searching for a job but also once they have secured an interview. In many cases, potential employers on the interview panels were responsible for the discriminatory behaviour against Pacific workers. A Pacific public sector worker shared the following story:

> I had both positive and negative experiences. Positive is that I would get shortlisted for job opportunities as my name does not reflect my ethnicity until they meet me in person. I have had employers say to me that they envisaged someone of a European descent. (S695)

While Pacific workers could use strategies like changing their names, they then had to contend with other concerns when granted an interview, including recruiter expectations and low pay offers. Securing an interview is only the first step, as one Pacific worker described:

> It's been OK but I've always worried about how my name would come across and my skin colour if I ever secured an interview. (S355)

Qualifications and work experience are undervalued

Several Pacific workers shared experiences of being offered roles that were below their skill sets. This group included Pacific workers with tertiary qualifications who were not necessarily working in professional jobs.

They told us they were expected by hiring parties to take these roles and be grateful. Many Pacific workers shared that, while they were aware that these roles were beneath their skill set or experience, they accepted the role due to needing employment to support their family.

As a result, Pacific peoples seeking jobs viewed the recruitment process as being a negative experience and, in the words of a Pacific self-employed contractor, "somewhat difficult – the jobs that were available were below my skill sets/qualifications/experience" (S737).

Many Pacific workers shared that they felt exhausted from spending months trying to secure a job despite being highly skilled and having qualifications. One Pacific public servant worker said it was "difficult to get a job even if I'm highly skilled" (S739).

The demoralisation people experienced from searching and applying for roles with no luck led many Pacific peoples seeking employment to take the first role offered. This was often in spite of these roles being entry level or not matching their qualifications, skill set or experience. Pacific workers were often just grateful to finally secure employment. One Pacific worker shared a story related to this experience:

> I sat her down yesterday and said, "How much are they paying you, because you have to remember you are a qualified engineer with experience. You spent six years working down the Bay of Plenty in electronics." She was quiet. She said, "Oh, I was just grateful after so long." We all feel that. She said, "After so long … so I'm thinking I'll just grab it." (T003)

Low expectations for Pacific workers' capabilities can be explicitly encouraged by recruitment agents. We heard from Pacific workers who were offered low-level roles and pay rates and were steered by agencies towards factory roles. One Pacific health worker shared that "I wanted to try something like admin and ended up getting a job at a factory by agencies" (S140).

Another Pacific worker with extensive experience in the government, education and NGO sectors both overseas and in Aotearoa New Zealand described seeking work with Work and Income (WINZ) only to be offered factory roles. In comparison to many Pacific job seekers who would accept these roles, this Pacific woman refused, instead opting to go "through the hard way of just looking at the paper and applying". She said to WINZ:

> Why are you giving me these jobs? There is nothing in here that is good for me. I said, "I can't do what you are asking me to do, because one is to go and lead a group of cleaners in this factory … I haven't been trained to do that. I've been trained to do something different. I don't want to do that, I want to do what I want to do. But they looked and said, "Sorry, we haven't got a job for you then." Twice we went there and they said, "There's a job available here, in a factory here, would you like to go? It would be best for you to get on it and get a job and get your foot in the door," they used to say. I said, "Well this foot doesn't want to be in that door." (T002)

For other Pacific workers, their lack of qualifications was an issue. The emphasis on qualifications over experience left several Pacific workers feeling as though their considerable experience was not valued. This issue was highlighted numerous times during our engagements. Pacific workers saw it as the reason for their being underpaid and undervalued. This, in turn, led to a lack of confidence when applying for jobs, with one Pacific construction worker telling us he "lacked confidence in applying as I don't have qualifications" (S196). A lack of confidence meant people often accepted the first offer that was made to them and did not negotiate their pay further.

Many Pacific workers shared that they were not receiving the opportunity to negotiate pay or were being declined for pay negotiations despite holding qualifications. Within the health sector in particular, a significant number of Pacific workers told us they had the relevant qualifications and started new roles only to discover further down the line that they started on lower pay than their fellow colleagues. One Pacific health worker told us that "I discovered my new colleagues were of equal qualifications to me but were paid more" (S177).

When people became aware of differences like these, they felt they were often ignored when they tried to make the case for equitable treatment. One Pacific healthcare worker told us that "there is always an excuse to say why my salary is not in the level where it supposed to be, although I have a good qualification, years of service and experience, same as others" (S178).

Lack of pay transparency by employers

Another feature of the recruitment process that discouraged and deterred Pacific workers was the lack of transparency from employers regarding salary bands and qualifications. Pacific peoples found it challenging that hiring parties "aren't forthcoming with what their annual salary range is, they don't provide this info" (S091). This was seen as a barrier as it prevented Pacific job seekers from determining salary expectations. One Pacific health worker told us:

> I will email to enquire about the potential salary range. They'll ask me, what's my salary expectation – almost to catch me out? It's hard to find typically what a role is worth – often there may be a few websites that have the lower, median, upper range salary for NZ companies. (S091)

Another Pacific healthcare worker who is looking to progress in her career told us it "has been challenging job searching particularly when pay information is not available on sites to determine whether or not I should be applying" (S160).

Opportunities for Pacific peoples to support one another

For many Pacific workers, securing employment often happened through personal networks. These networks include family and community members and provide an alternative avenue to gaining employment that is positive for Pacific job seekers. One Pacific corporate worker told us that "most jobs are through friends I know who refer me" (S324).

The collective nature of Pacific culture is pivotal in the recruitment process. In the cases of Pacific peoples who shared their success stories in finding work, there was a sense of relief and the recruitment process was viewed as a positive experience when they knew someone. As one Pacific worker said, it is "easy and good when there's someone you know there" (S647).

Utilising the Pacific community can be an effective alternative method to find work rather than seeking support from recruitment agencies or the traditional mode of applying for a job. While this is often a positive experience for these Pacific workers, the literature on networks and jobs tends to suggest that using personal networks can contribute to occupational segregation if the people in your personal network only work in certain sectors and certain jobs. These will then be the same kinds of jobs open to the people looking for work.[37]

A group of Pacific workers from the education sector shared the following sentiments on how personal networks can unintentionally contribute to occupational segregation:

> Most of them because they are migrants, they go into that horticulture work … You know, their children are finishing and going straight into that. So we have this dream, this aspiration as Pasifika that we are going to come to New Zealand, the land of milk and honey, but if our experience, if we started off the back foot, anyway our kids are going to follow. Because like [name] said, people don't know what they don't know. (T004)

[37] Matada Research Group, *Pacific Pay Gap Inquiry Literature Review*.

Retention and pay negotiation

Getting a job is only the first stage in the employment journey. Negotiating fair pay or pay increases and staying in the workplace is the next stage where Pacific workers experience barriers.

Retention and pay negotiation were a significant subtheme where we heard both positive and negative experiences. Many of the Pacific workers in our Inquiry from the manufacturing, construction and health industries reported not being given an opportunity to negotiate their pay rate or an increase in pay.

Negotiating pay can be in direct conflict with Pacific cultural norms. For example, research has identified that Pacific workers require stronger connections with their managers in order to feel comfortable to communicate with them. This can be especially so for sensitive topics like pay negotiations.[38]

Western value-driven pay negotiation processes in Aotearoa New Zealand give most regard to the money figure rather than valuing the relationships, connections and fairness of the process.

The key themes we heard from Pacific workers about retention and pay negotiation were:

- experiences of being undervalued and underpaid
- desire to be paid the living wage
- discrimination in negotiating pay rates and pay rises
- lack of awareness and understanding about pay negotiation.

Experiences of being undervalued and underpaid

As in the recruitment process, many Pacific workers told us they are undervalued, and once in a job, many perceived that they are also being underpaid. Across the three focus sectors of this Inquiry, Pacific peoples experienced pay negotiation and retention issues in slightly different ways.

In the manufacturing sector, not only were opportunities scarce but they were also not encouraged by employers. Several Pacific workers shared experiences similar to one Pacific manufacturing worker who told us there is "never an opportunity to negotiate – the employer does not encourage it – it's either a take it or leave it opportunity" (S016).

In addition to employers not encouraging opportunities to negotiate pay, we heard reports of employers dismissing Pacific workers when they attempted to raise the matter. One Pacific manufacturing worker told us of "not being given an opportunity to be heard in full and being dismissed when trying to address it" (S028). As a result, some Pacific peoples in the manufacturing sector remained silent and continued to work with no pay increase for several years. Another Pacific manufacturing worker said:

> Every year, I ask the senior management if I could get an increase, but my pay still stayed the same. Other workers who started after me had an increase of wages, which I personally didn't like, because of the years I've been working with them, not once did they give me a pay raise. (S021)

Another Pacific manufacturing worker expressed the bind they felt they were in, even as they recognised the unfairness of their situation:

> I've worked most of my life, all at minimum wage. Never saw a pay rise, never got to negotiate my starting rates, and when I needed a break, I'll work through it, even when sick. What union will renegotiate my rent if it's not paid? Who will look after my kids if I'm working? How do the rich get richer and the poor get poorer? (S027)

Pacific workers in the construction sector had similar stories to those in manufacturing. Their emphasis was on the negotiating process having "been pretty difficult" (S189) and that it was "hard to find a job unless you know someone in that area of work or your CV is perfect, which of course does not allow people to even get a foot in the door" (S193).

[38] Matada Research Group *Pacific Pay Gap Inquiry Literature Review.*

Pacific workers from the construction sector appear to have been offered some opportunities to discuss pay rises. However, like the Pacific manufacturing workers, construction workers "always felt underpaid" (S213). Pacific construction workers said that employers would imply that they should be grateful or that a worker "was asking at the wrong time" (S206). At other times, they would be ignored and "not taken seriously when I talked to managers" (S200).

In another case, one Pacific construction worker's employer did not offer him a pay rise or a bonus for his efforts but a barbecue. He told us:

> Last year, my boss bought me a barbecue as a pay review bonus instead of giving me an hourly increase. Kick in the gut! But I took it and said thanks. (S197)

Pacific health workers also told us that negotiating pay "can be difficult" (S068) and a negative experience due to Pacific workers feeling fearful, anxious or shy, saying "I've never felt bold enough to negotiate" (S068).

Another Pacific worker expressed being driven by the fear of losing an opportunity:

> I will just take what I'm given out of fear I may miss out on the role if I negotiate. (S085)

As a result of this fear, many Pacific workers entering the health sector are settling on low pay rates and are not realising pay discrepancies until they are in employment and talking with colleagues.

Many Pacific peoples shared with us that they felt their pay was not reflective of their worth. There was sometimes a sense that the roles they occupied were not worth fair pay or a pay rise. One Pacific construction worker told us they had "never been a part of the process – my role is never considered worthy of a pay rise" (S199).

We did encounter some instances where Pacific workers had raised pay issues with their employers and got a positive outcome, as one Pacific public servant told us:

> Recently, I've had to do this – I told my employer that the salary they offered me was undervaluing me as a person but also undervaluing the hard work in the 10 years I've already worked here, and if they don't change this offer, I won't be taking this role. Luckily for me they changed this, but I shouldn't have had this conversation in the first place. (S294)

The stories we heard from Pacific workers in other sectors raised similar issues. In one instance, a Pacific worker shared having been employed on minimum wage his entire working life with no opportunity to negotiate pay. He was even required to work when he was unwell. In this case, he felt obliged to continue employment in these working conditions to provide for his family.

We did hear from a small number of Pacific workers who were able to negotiate fair pay. These people talked about having the confidence to speak up and to ask for what you are worth. One Pacific manufacturing worker said that "our Pacific people have to be confident enough to voice themselves and ask for more pay and show all the hard works they have done" (S008).

Another Pacific worker agreed and felt there was an opportunity to build confidence, both in education and employment, saying "I think instilling confidence about negotiating pay, especially for us Pasifika women, should be encouraged more and taught" (S132).

Desire to be paid the living wage

Pacific workers are the most likely by ethnicity to be earning less than the living wage (see Table 7). About one in three Pacific workers earns below the living wage, at 32.98 percent. Broken down by gender, we find that 17,500 Pacific men and 19,800 Pacific women earn below the living wage. This means that 29.91 percent of all Pacific men and 36.46 percent of all Pacific women earn less than the living wage. This compares with 24.45 percent of European women and 16.86 percent of European men.[39]

[39] Analysis carried out by Work Research Institute based on data from Household Labour Force Survey in the Integrated Data infrastructure.

Table 7 Number and proportion of employed individuals by ethnicity and gender earning below the 2020 living wage

Ethnicity (prioritised) and Gender	Number earning less than living wage	% of group earning less than living wage
Pacific women	19,800	36.46
Māori women	49,400	36.06
Asian women	46,200	30.78
Pacific men	17,500	29.91
Māori men	38,500	25.86
European women	144,700	24.45
Asian men	40,800	23.41
European men	99,800	16.86

Source: Data was taken from the June 2020 quarter of the Household Labour Force Survey in the Integrated Data Infrastructure. Standard HLFS replicate weights were applied. The living wage is announced in April but does not come into effect until 1 September so the 1 September 2019 rate was applied, which was $21.15. Prioritised ethnicity is used.

While the living wage was raised generally by some Pacific workers, it was a key issue for a group of striking manufacturing workers with whom the Inquiry team engaged. The primary purpose of their strike action was to gain the living wage. Several of these workers had worked for the employer for 10 years or more and were earning just above the minimum wage. Many of the workers felt that their longer-serving colleagues' pay should have increased far more than only when the minimum wage increased.

Several of the striking workers worked six days a week. They shared concerns about the cost of living increasing while their wages did not keep up. One Pacific worker told us "rent has gone up, food gone up, but our wages not gone up" (T063).

Most of the workers talked about needing to provide for their children. The cost of rent, food and petrol had increased and "everything got more and more expensive" (T063). Referencing that the workers lived and worked in Auckland, the city with the highest cost of living in the country, another agreed, saying "it's very expensive here to live" (T063).

One worker shared that her colleagues could not afford to buy healthy food for their children with what they were paid. Another worker talked about doing the undesirable night shift because they get a $10 per shift untaxable allowance. This equates to an additional $60 per week, enabling him to buy more food for his children.

Discrimination in negotiating pay rates and pay rises

Once in a job, experiences of discrimination surfaced in comparing pay rates with colleagues, pay negotiations and career progression. One Pacific worker told us they only learned they were paid less than a non-Pacific colleague by accident:

> I had a really negative experience being promoted in a workplace in the health area with a Pacific service. I had similar level of skill and educational background as my colleague who wasn't Pacific, yet was getting paid $20k more than me. This was only discovered much later on as we started to develop a close friendship and we talked about our salaries. (S071)

Negotiating pay was an area in which Pacific workers had experienced discrimination. Several noticed the higher standard required of Pacific peoples than their Pākehā colleagues to prove they were worth the promotion or pay rise:

> Speaking from experience, this has not happened once but on multiple jobs I've had. It's always harder for the Pasifika/Māori people. It was easy to watch my Pākehā colleagues smoothly negotiate a pay rise. But for us Pasifika/Māori, all of a sudden, employers need to look at our attendance, at our workload, and except one time, I have never ever been able to negotiate my pay rate without being shut down after a few sentences. But I've watched our Pākehā people that joined after us, or have done less work than us, get talked up and given a pay rise with ease. The issue is not so much the Pākehā people but within the work management teams. (S113)

Another Pacific healthcare worker shared their experience of low pay being seen as acceptable by management until Pākehā workers would not accept it:

> In my current role, no-one listened when I said the pay didn't reflect the amount of work we put in. It wasn't nearly enough. It was way more than what was mentioned in the job description. It wasn't until we had to recruit again and Palagis kept turning the offer down that they moved the band. (S130)

A Pacific public servant told us of the significant discrepancy between what they earned and what their colleagues did:

> I have not had the best experience in this field because for so long I was told to be grateful for the experience that I was gaining – only to discover that I was the lowest paid in my industry by $20k for at least 3 years! (S209)

One participant believed that their employer used migrants' lack of knowledge about Aotearoa New Zealand market rates to pay them low rates:

> Sometimes the employer here in New Zealand is just doing the thing of "oh, he's from Tonga, we will just give him this small amount of pay". (T005)

Lack of awareness and understanding about pay negotiation

Several Pacific workers shared that they did not know that they could negotiate their pay when a job offer is presented. One Pacific health worker said "I've never negotiated pay – I didn't really know that I could until I heard that colleagues had" (S145). Another Pacific worker said "I am not really sure about and understand negotiating pay" (S079).

Pacific workers highlighted that pay negotiation is something that is not taught during their years of education and may not necessarily be taught at home. Many Pacific workers only became aware of this once they were in employment through other colleagues.

Several Pacific workers felt that employers hinder their opportunity to negotiate pay or are reluctant to even discuss it when the topic is brought up with them. One Pacific public servant said they felt dismissed when they tried to bring up pay issues and were made to "feel like you shouldn't ask about the pay like it's a crass question … it is very awkward negotiating pay" (S533).

PPG
Pacific Pay Gap Inquiry

Barriers to promotion

This part of the employment journey looks at Pacific peoples' experiences of promotion. It became very clear in the stories shared with us that Pacific workers are rarely, if ever, promoted within their workplace.

Some Pacific workers internalised the lack of promotion to mean that Pacific workers in general were seen as inadequate. One Pacific healthcare worker said "we're never seen as adequate" (S047), while a Pacific corporate worker told us that there is "never an opportunity to grow if you're a PI because they don't think we have the brains to do what they think only they can do" (S346).

The main themes we identified in relation to promotion were:

- discrimination in the promotion process
- promotions without additional benefits
- Pacific women are promoted less often than men.

Discrimination in the promotion process

A minority of Pacific workers we engaged with said they had been promoted. Some suspect discrimination was behind this lack of advancement. One way this can happen is through continual moving of the goalposts for progression. One Pacific construction worker told us about his experience:

> The explanation is always changing. It took them a year to get an explanation. They said my attitude was disrespectful. Maybe because I always follow up, I challenge the decision, "I'm not a white man", try and make other excuses, try and make things complicated. If I had good support to help me, all the rubbish wouldn't have happened. (T001)

A Pacific healthcare worker also felt that reasons she was not getting promoted alongside her peers were discriminatory:

> I think because – I know that there's a little racism involved, because we were working in the drug treatment unit inside the prison, and there was three of us left, and we're all from [educational institution]. And because we had no manager, one of our peers … [was] acting manager at the time, and now she's gone on to maintain the manager's role. So it wasn't any sort of qualification or anything, because we all came out from the same study with the same qual, and we were working at the same place for the same amount of years. (T006)

Another healthcare worker spoke about the double standards that appeared to drive promotion:

A lot of Pākehā promoted ahead of others even if they are the worst worker, ie late, always sick and always on phone during work. As a Pacific Islander, would be in huge trouble for 5 min late as Pākehā staff walk in 20 min late. I've been employed for 18 years, seen it many times. (S087)

Promotions without additional benefits

While many Pacific workers had never been promoted, those who had been often experienced the lack of additional benefits associated with a promotion, including pay rises. There was a recurring pattern in the stories we heard during our Inquiry that Pacific workers are informally filling leadership roles or have received a promotion with no additional pay. In some cases, a Pacific worker would end up doing more work with less pay. One Pacific healthcare worker told us they had been "stepping in to fill in the leadership role for two years and doing actually well and beyond but pay get less" (S064).

In other cases, Pacific workers told us of being moved into the new role with a supposed new employment agreement on the way. However, the new agreement would never arrive. Instead, the Pacific workers affected would do the roles of two people while being paid at the old pay rate. One Pacific healthcare worker shared her experience:

> No pathway ever offered for promotions – not told to you in the job. You end up working to get experience and wait for opportunity. But most often no encouragement about my development and pathway to grow and take on new work in the job. (S149)

The following story was shared by one Pacific worker who is now unemployed. It illustrates how their employer's failure to promote them properly had a negative impact on them:

> I've never formally been promoted. I've always willingly taken on the extra responsibilities with no pay increase or incentive other than a thank you, job well done – sometimes wouldn't even get that. Then taking on the extra responsibilities would become an expectation. I myself am to blame for that for not speaking up, but as Pasifika and me quite plainly not knowing any better for myself, I would just do it just because that's what we do. They are the hierarchy so you do as you're told or you're a helpful person so of course you are going to do it, no questions asked. I've been told I have potential and there's room for me to progress, or we're working on getting you a pay increase, there's just a few things to be sorted and a few people we need to discuss with first, and then silence – all of which were things I think were said just because I wanted to hear it. Nothing ever came about it. Could I have pushed myself more, of course. But how? I'm at the bottom of the food chain here, who's going to listen to me? Not looking for pity here by the way – just sharing my experiences and thoughts lol. (S282)

Pacific women are promoted less often than men

The negative experiences of a lack of promotion were shared predominantly by female Pacific workers. The intersectionality of ethnicity and gender is a double disadvantage for Pacific women who shared that this was a hindrance to their promotion. These experiences are mirrored in research literature, which identifies that Pacific women experience more barriers to promotion than Pacific men.

In the manufacturing sector, a limited number of Pacific workers, mainly male, shared that they had been promoted into a leadership role. For Pacific female workers, their experiences fell into three categories. They told us that they had "never [had] an opportunity to be promoted – they expect you to be happy with what you get" (S016), they were promoted only after decades of service – "took 40 years before I become a Lab Manager" (S008) or they were promoted without being given the pay to match or making the role official with a contract – "in my old job, I was promoted to a new position and I thought I would get a pay increase and a new contract but didn't – also still had to go back and forth multitasking" (S032). Experiences were similar in the construction sector.

By contrast, there were some positive stories concerning promotion in the health sector. Some Pacific workers, most of whom were women, shared that they had positive experiences with promotion. Most of these Pacific workers held postgraduate degrees. We note, however, that we did hear from other Pacific female healthcare workers with postgraduate qualifications who were not promoted.

A government worker's story

We heard the story of a first-generation Pacific worker in his early 50s who worked for the government throughout his working life. For more than 20 years, he worked for the same employer. However, his pay remained the same the whole time.

He began the talanoa by telling us that, when his mother registered him at kindergarten, the kindergarten employees registered him under a Pākehā name because they could not pronounce his Pacific name. For many years, he used this name, not knowing that it was a name given to him by the Pākehā kindergarten workers to make things easier for them.

Raised in the city, he grew up watching his mother and father tirelessly working four jobs between them to look after their family. Despite the challenges they faced, his parents never gave up. He wanted to go to university to make the most of the sacrifices his parents had made.

While at high school, several extended family members came to stay at the family home, which meant that he and his brother had to sleep in the living room. By the time he finished high school, he had repeated his final year three times and felt he had "to do something" to help the family's living conditions. His initial dreams of university were shelved.

He found employment in a government department. On his first day of work, his mother was so proud of him. She had ironed his white Sunday shirt and he wore a tie. When he got to work, he realised that his job solely consisted of opening the mail and putting it in a cubby hole for someone else to deliver around the building. After his first week, he felt that this was not the job that his parents had come from the islands for him to have.

He worked in this role for several years. During this time, he was the only Pacific worker in his team. Despite several restructures, his employer never let him go.

After helping a fellow Pacific worker with a problem, his talents at last seemed to be recognised. He was moved by his employer into an administrative role. After seven years in this role, he received another promotion. Despite these apparent promotions, his employer never reviewed his performance or raised his pay.

Eventually, with the support of his wife, he left this workplace. On learning of his decision to leave, his employer offered him a bonus to stay, which he declined. His employer reluctantly agreed to let him go and asked one last favour of him – to train his replacement.

During this training, his replacement asked him why he was leaving the role when the pay was so good. His replacement told him that his starting wage was $65,000 a year. The Pacific worker was shocked. After more than 20 years, he had remained on his starting wage of just over $30,000 a year.

Upskilling and training opportunities

Opportunities to upskill and engage in training offer Pacific workers the possibility of building on their existing skills, knowledge and experience. This is vital for advancement in the workplace. We heard from Pacific workers that these opportunities are often not equally shared in their workplaces.

Pacific workers had both positive and negative experiences regarding training. The key themes we identified were:

- some people have access to training while others do not
- there are barriers to accessing training
- training does not lead to remuneration increases
- training does not lead to advancement.

Some people have access to training while others do not

The picture that emerged from our engagement regarding training was mixed. Some Pacific workers had adequate opportunities for training while others did not, and this varied by industry.

In the manufacturing sector, for example, we heard that there is a lack of opportunities for on-site and off-site training, and for the few who did receive training, there was little support. As a result, these workers were left to train themselves and often their peers as well. In relation to this experience, one Pacific manufacturing worker shared that "we train ourselves by observing others – there is never a good time for training" (S005).

More commonly, workers did not receive training at all, as in the case of the same Pacific manufacturing worker who has "worked at the same company for 15 years – we never get opportunities, just feel used most of the time" (S005).

By contrast, in the construction sector, several Pacific workers shared positive stories of the training opportunities they received. While the opportunities are there for construction workers, it was a matter of identifying the training required and persistently seeking support from managers to take them up. Those who did receive training often also commented that "sometimes you have to keep asking to go on them" (S189).

As in the manufacturing sector, some Pacific construction workers also told us there was "not much" (S216) training being provided or offered. Some were promised training but not receiving it, as in the case of one Pacific construction worker who said "I have been promised to undertake leadership training, however, none has eventuated to date" (S209).

A particularly concerning example of receiving no training was shared with us by a Pacific construction worker who works in health and safety:

> Absolutely none. I worked in health and safety and never even had a first aid certificate or any training. (S192)

Like the construction sector, Pacific healthcare workers reported mixed experiences with training opportunities. Some highlight the lack of opportunities for training, but there were several health workers who shared positive stories. One Pacific worker told us:

> I'm lucky to have a supportive team who allow me to complete trainings that contribute to my development, including paying for a lot of workshops or conferences and including me in projects where I can apply my learnings. (S121)

Another Pacific worker shared a similar experience, noting the support of her leaders:

> I've been lucky to have management that have supported my training aspirations. I had to put the work in, but they came to the party with study leave and travel. My uni was also very supportive of my employer so that helped a lot too. (S048)

Some Pacific workers who were supported with training opportunities were also aware that they can be few and far between for Pacific peoples. One Pacific health worker told us:

> I'm one of the very few that has been lucky as I have been with an organisation that has supported my studies and am grateful to now be working as a social worker … Again, blessed to be one of the few but am very aware of this issue which is very real. (S083)

This sentiment was supported by Pacific health workers who shared experiences of a lack of training opportunities in the workplace. When asked about training opportunities, many Pacific workers shared that they "didn't get a chance" (S066), "never had training opportunities within a role to progress my career" (S101) or had "little to none training opportunities" (S140).

Outside our three focus industries, there was again a mixed picture. One Pacific union worker shared her sentiments regarding training opportunities for Pacific peoples, saying that there was simply "no training for our Pacific people in some jobs" (S505).

Workers in other sectors shared their experiences of how training opportunities could be a mixed blessing, providing an excuse for extra work. A worker from the corporate sector told us that "there were no training opportunities unless they need to give us extra work, then they use that as a development" (S324).

Several people commented that workers who are receiving training are often "self-directed" (S296). They either identified that as a trait in themselves – "the workplaces I've been at are terrible with training but I'm proactive and will find training to develop" (S263) – or noticed it as common in others – "training opportunities are usually offered to those who are seen as proactive or are more vocal and always ask questions or have expressed interest openly over those who are keen but don't express openly" (S349).

There are barriers to accessing training

Even with the training opportunities available for Pacific workers across the sectors, they still encounter barriers in being able to take up those opportunities. Some of these include negotiating time to attend training and pay during training. One Pacific worker told us that, to get the opportunity, it was "relatively easy … [but] challenging negotiating time release for this" (S737).

For some Pacific workers, training opportunities were granted but at the workers' expense, even if it was work-related. One Pacific worker told us:

> Only ever been offered these when I've asked, and sometimes I have had to pay for these myself even though they were required for my job. (S189)

Another Pacific worker from the social services sector shared this experience with negotiating time and pay to attend training:

> Being here for 10 years, I've become quite confident in asking for the training opportunities that I deserve. There is always some sort of snide comment made such as I hope you're not going to leave once you complete your qualification? I had also noticed over the years other colleagues, Pākehā or management staff, would have time allocated during the week for them to complete their study, and when I would ask about my study options, I would be told to put it in as annual leave and we could negotiate how much of this would be study leave. I would need to look up the policy for study leave? (S635)

As a result of a lack of consideration for paid time off to undertake training opportunities, one worker from the hospitality sector shared that "some go without training because they do not like to pay us for training" (S514).

A recurring constraint shared by many Pacific workers on why there was a lack of training opportunities had to do with the budget. A Pacific worker in the financial sector told us:

> Budget is always the standard response to constrained training opportunities. I have usually had to build a business case to support training and development opportunities. (S231)

This was also the case in the education sector, where one person said simply "no budget" (S722). Another Pacific worker observed that "opportunities for training are usually given to me when they are of little to no cost to the company" (S731).

Some workers specifically identified discrimination as the barrier to their accessing training opportunities. One Pacific worker, who is currently unemployed, shared their experience with previous organisations:

> Training opportunities are available but may as well have been non-existent in my view. It always felt like a formality to be told about it or being told just because it's someone's KPI and so long as they just say the word 'training' to enough people they've met their target and job done. It was common to see all the Pākehā or people in senior roles do all the exciting training, the type that required approval for additional funding from the company. But it only takes one brown brother to be declined funding to do that same training to not bother. Oh, but you still had all the free courses that you could do, but the catch is they

> have to be worked on within office hours but so long as it didn't affect your usual responsibilities. If you did do a free course and fell behind on your day-to-day, you've got poor time management and don't know how to prioritise things. But if you didn't do a free course – you guessed it – you've got poor time management, don't know how to prioritise things AND you must not be interested in career progression so we won't invest any more time on you. (S282)

A Pacific public servant shared her view that the best opportunities were reserved for Pākehā people:

> Most of the best training, like leadership development, was only available for managers who were 99 percent Pākehā. So missed out on the best growth training but got the standard training available for all staff. (S245)

Another common barrier we heard about was the promise of training opportunities that did not eventuate – and this was the case across the different sectors. One Pacific construction worker told us "I have been promised to undertake leadership training, however none has eventuated to date" (S209).

A Pacific health worker told us:

> They agreed that they would help me begin my training for level 3 healthcare assistant, which was never mentioned again. When my CNM talked to me about it, it was to say that I'd have to wait three months because they didn't have the availability to fulfil my training or supervise it. (S134)

Training does not lead to remuneration increases

Even though several Pacific workers shared positive stories of gaining opportunities to train and develop, many shared that there was no pay increase once training was completed.

These sentiments were shared by workers in the manufacturing sector who commented that "yes, they love training us by other employees so that we know how to do everything in the workplace but refuse to pay us with the rightful pay rate we deserve" (S010) and "I completed some trainings but no reward like pay rise" (S011).

Experiences in other industries were similar. One healthcare worker shared that "I did all the training they provide but didn't make any different to my pay" (S123).

In another situation, one Pacific worker from the arts sector shared her experience of being given extra responsibility as part of development but no remuneration:

> The opportunities seem to be there but they are dragged out or seen as a way to give you more responsibility but not the remuneration because they think you benefit as much if not more from the upskill. (S723)

These views imply that there was an expectation by Pacific workers that fulfilling training and development would result in a pay increase. However, information on what the agreement was when training was undertaken by a Pacific worker was not explicitly provided by Pacific workers during the Inquiry. Very few Pacific workers said they had received a pay increase as a result of further training and development.

Training does not lead to advancement

Taking up professional development opportunities did not necessarily lead to promotion, even where that had been indicated beforehand.

Pacific workers in the education sector, for example, said they received training opportunities but that promotion did not follow. These workers had an expectation that, at the end of their training, there would be opportunities for promotion. One education worker thought that bias played a part in this:

> This has always been supported in my current role. But the problem is when it comes to promotion, these senior leaders are afraid of promoting Pacific peoples due to their own biases. (S679)

In healthcare, one worker said that her main issue was not the access to training opportunities but rather the lack of promotion once she received training:

> Getting training opportunities has never been a problem. However, getting paid for those opportunities is where things become a different story. I receive the training, but a promotion to follow is another story. (S137)

A lack of awareness and enforcement of workers' rights

We heard stories of times when Pacific workers have had their rights breached and of the need for greater understanding and awareness of what their rights are.

The main themes we heard in this area were:

- many Pacific workers are not aware of their employment rights
- the impact of COVID-19 on workers' rights
- education about employment rights.

Many Pacific workers are not aware of their employment rights

Several Pacific workers shared stories of not being aware of their employment rights in the workplace, which effectively contributed to their experiences of the pay gap. Most of these stories were shared by Pacific workers in the agriculture and forestry sectors in the regions, which included Nelson and Gisborne, and they were predominantly male.

Many Pacific workers in these industries are on working visas tied to their employer or are new migrants to Aotearoa New Zealand. Some are part of the Recognised Seasonal Employer (RSE) scheme, a government initiative aimed at meeting labour shortages in the horticulture and viticulture industries. We did not focus on RSE workers in this Inquiry, although the Commission has done some work alongside the Inquiry on the RSE scheme.

There were a few stories shared about lack of awareness of employment rights by Pacific workers in other sectors. This was particularly the case for the construction sector in which some employers have a high number of undocumented workers.

These situations mean that many of the Pacific workers entering employment in Aotearoa New Zealand are not necessarily educated on their employment rights. This was evident in the stories shared by workers whose work visa was tied to their employer. They had limited to no knowledge of their rights to annual and sick leave, holiday pay, health and safety practices, rights as an employee versus a contractor and in particular their rights when it came to their wages. One participant in our talanoa who advocates for RSE workers in his region said:

> People were not educated about their pay so people don't speak up. There's no proper understanding of what is going on. (T005)

This lack of understanding around leave and pay extended into other sectors. A Pacific worker in the NGO sector told us "I would like … to grasp and get more understanding of how leave and stuff work within a salary basis" (T007). When asked by our team to expand further, the participant advised that she needed understanding on "how it all works".

In addition to the barriers around the lack of awareness of workers' rights, various Pacific peoples shared barriers to articulating their rights. What we noticed in these stories is that some Pacific workers have a sense that something unfair has happened when their rights are being breached but they do not have the knowledge and understanding of what their rights are in a particular situation. As a result of this limited knowledge, Pacific workers lack the confidence to articulate and enforce their rights. This was the case for a group of Pacific workers who told us:

> We don't have the confidence to go out and better ourself and speak for ourself. If we don't know what our rights are, we are going to be taken for granted forever. (T008)

The impact of COVID-19 on workers' rights

One situation where various Pacific workers experienced a lack of awareness around their rights was during the COVID-19 pandemic, particularly regarding sick leave. Many Pacific workers shared being told by their employer that annual leave would be deducted once their sick leave was exhausted.

This was done despite the government subsidising sick leave for employees who needed time off to recover from COVID-19 and were unable to work.[40] According to the government, employment types to meet their subsidy threshold included casual, full-time, part-time, fixed-term and seasonal workers. This covered a broad range of employment types including that of the Pacific workers with whom we engaged.

During the talanoa, one Pacific worker shared how her mother's employer deducted annual leave for the sick days she took to recover from COVID-19. Eventually, the situation was rectified, but only when the mother confided in her daughter, who swiftly advised her that this was improper and followed up with her mother's employer to have the situation corrected.

One Pacific worker shared her mother's experience questioning their employer's actions during the COVID-19 outbreak as a suspected breach of Pacific workers' rights:

> My mum was calling her workplace, and they were like "oh, we have to use your sick leave", and my mum came in and she's like "oh man, I have to use my sick leave, it's 10 days"... We were the ones who sort of got it first in Gisborne, so like, back then, it was quite fresh and nothing had fallen into place, and there was not enough talanoa about it to know what's out there for people to access. Fortunately for me, I'm on salary, but with my mum, she was getting a bit stressed. She was thinking mortgage, she was thinking about all the other bills that she had in her head ... She already used most of her sick leave so she's like how the hell am I going to provide? And I was like what do you mean? You don't have to use your sick leave. And she's like 'no' ... They sent her like a full lengthy email that my 52-year-old mother who had studied in Tonga reads the first paragraph and she was over it. And I was like "man, these Palangi are good", they'll send you a lengthy email and at the bottom they'll state fine line, fine print ... So I call [her employer] and say sorry but I am pretty sure that there's that leave subsidy, and the lady over the phone was like "I'm sorry I never heard of it, let me talk to my managers", and I was like, yeah, can you please talk to them because I am looking at it online ... and it says it's already available for people to access. That was 10am, and by 12pm she called me and said sorry she didn't know, and I said thank you, I'm glad we sorted that, and just hung up. (T009)

This same person was able to be an advocate for her mother with her employer. Based on this experience, she believes there needs to be advocacy for Pacific workers – "a perfect example of people needing advocacy is my mum" (T009).

Education about employment rights

Pacific peoples repeatedly told us that they wanted to learn more about their rights to avoid situations where they were exploited. Many participants proposed that solution – "education around our rights, anything with education" (T009).

Some participants felt that it was the government's job to ensure all workers were educated about their rights. One Pacific worker commented that "the government must ensure that the law protects the rights of ALL workers" (T001).

[40] Work and Income New Zealand – Te Hiranga Tangata. "COVID-19 Leave Support Scheme." Accessed August 25, 2022. https://www.workandincome.govt.nz/covid-19/leave-support-scheme/index.html#:~:text=The%20COVID%2D19%20Leave%20Support%20Scheme%20is%20paid%20at%20the,than%2020%20hours%20a%20week.

Cross-cultural communication issues

We heard about cultural differences and language barriers and how they impact Pacific workers' ability to request leave and raise concerns. Overall, many Pacific workers felt that they were not being heard in the workplace.

The themes we heard from Pacific workers about communication were:

- differing cultural norms
- language barriers
- employers' role in communication
- Pacific workers supporting each other to communicate.

Differing cultural norms

Due to their collective nature, most Pacific cultures are similar in their communication style and share similar cultural norms and values. These can often be at odds with the dominant culture in a workplace. Examples of practices that go against Pacific cultural norms include talking about one's achievements and speaking against your elders or managers.

A Pacific healthcare worker told us:

> I think it was about your upbringing, always told to be humble about your success, never be loud and never talk good about yourself in case you come across as being fiapoko – that's just the way it was. And of course that applied in my work life and so I just worked really really hard and waited for someone to see – rather than I did this and I did that, you'd wait and sometimes the waiting just went on and on … As soon as I found my voice and some of my colleagues would still be in the same mindframe that I was in quite a few years back and just wait. It wasn't that they couldn't do the job, but it was that they didn't like promoting themselves because … it was such an ingrained thing in them … not to be as self-promoting. (T010)

As a result, Pacific workers in Aotearoa New Zealand can operate in an environment with different cultural norms from their own. Many Pacific workers shared that they are often too shy to communicate, especially on matters of pay. One person told us:

> I believe our Pacific people are so humble and will just get in there and do the job with no complaints. We tend to shy away from asking for a pay rise because I know it is not within our nature to do so. Workplaces takes advantage of that. This should be brought to light. (S324)

Language barriers

In addition to cultural differences, many Pacific workers believed that language was a barrier to gaining employment and pay rises. One construction worker said that "language is a barrier – English is my second language, I don't have the right networks, that's why I think we don't get the job" (T064).

Several Pacific workers shared their stories of how employers respond to this language barrier. One construction worker shared how he felt his employer treated him due to his limited English capability:

> I think they take advantage of me because how my English is not that good and my concerns when raised with them is never taken seriously until I get my union involved. (S200)

Employers' role in communication

Pacific workers identified that positive and reaffirming employer communication with employees is vital for a healthy workplace – it helps people feel safe to do their job and to exercise their rights. Many of the stories we heard from Pacific workers across the different sectors identify a lack of understanding by employers of Pacific culture.

Several Pacific workers from the health and agriculture sector shared their experiences when they attempted to communicate with their employers about their various concerns. Many Pacific workers felt that their employer pretended to care but "was a really difficult person to talk to and super busy and unavailable" (S175).

Another Pacific health worker said that she found the experience of talking to her employer confrontational and that her "employers have tried to talk me down by stating an unwillingness to discuss pay or sending a contract at the bottom of the pay bracket" (S158). These experiences are not confined to healthcare – one construction worker told us he "was not taken seriously when I talked to managers" (S200).

People not only spoke about the barriers with language and how their employer communicated with them but also the difficulty of navigating existing communication channels. One of the main difficulties was around not knowing who to talk to in order to raise a concern – "I didn't know who to talk to about it" (S428).

In the case of Pacific workers in the agriculture sector who are usually employed as subcontractors, many observed that they had to always communicate through a middleman, only to be told conflicting things. One Pacific agriculture worker told us:

> Sometimes you have to talk to the employer, and the employer talk to the company, and from the employer to the company, … employer back to us, so that line of communication is broken. So the employer will just come back and say, hey, the company say this one. And someone from the company will come and talk to us, they give us a different story. (T005)

These negative experiences can lead to a lack of confidence in Pacific workers when they need to communicate with their employer. One Pacific worker from the hospitality sector said:

> Negotiating pay is something that is never talked about, or if we do raise it, we are given hundreds of reasons as to why that can't happen. (S415)

Despite communication barriers, some Pacific workers are confident to communicate with their employers. However, when they do so, they can experience being told that they are rude or aggressive. One Pacific worker from the beauty industry told us:

> To be honest, for myself, I feel like we have to act and talk a certain way to get by career wise. And when I do speak up, I'm seen as being rude! (S446)

A Pacific public servant had a similar experience:

> Yet if I talk a lot or ask questions, corporate organisations (mostly white people) label us as "aggressive" and say "we always challenge" the system. If a white person asks a question is OK? I have seen the laziest white people promoted ahead of me. I can't win. (S206)

Pacific workers supporting each other to communicate

Pacific workers were clear about what they felt they needed in order to address communication barriers: educating, talking and building one another up. A hospitality worker shared their vision:

> Pasifika educating ourselves about equity, that we have a right to be paid for the same work as non-Pasifika. Talking about it and mentoring other Pasifika. (S245)

In another instance, to illustrate the need to communicate with one another as a means of raising awareness, a worker from the education sector shared her story of realising she was paid less than her colleagues:

> We need to talk more. Some people, like myself, didn't realise that it was happening, and being part of a church outfit I naively thought they won't stiff me – but it happened, systemically and subtly. I read through the letters of my previous bosses and thought that was so wrong, they denied me a raise for a few years and it was for the wrong position post. My other Pasifika colleague is getting way less, employed as part-time, but she feels the duties and work she does is full-time and does go over the hours. Awareness is needed. (S721)

A construction worker's story

One of the construction workers we spoke with who was in his early 60s told us about his working life. A first-generation Pacific worker, he was born in Auckland and moved around the country. He worked mostly in different parts of the construction industry with some time outside it in other manual occupations.

He left school in his mid-teens, as it didn't hold any interest for him, and did not complete any qualifications. Instead, he started picking up casual work through people he knew, including working as a hammerhand, picking up timber and some carpentry. He worked irregular hours doing a few hours each day. For this work, he was paid cash in hand. He had no sense of how much the money was and, as a young person, it felt like a lot at the time.

As a young worker, he travelled to his place of work using public transport, sometimes having to catch more than one bus to get there. He got many of his jobs through his networks. Some jobs came via family members, while others were friends or community members. Most of this work has been casual, with some stints as a permanent or semi-permanent member of staff. Many of his jobs have paid around minimum wage or slightly above it.

When he was in his 40s, the cumulative impact of the physically demanding work that he had been involved in took its toll on his health. He began having angina attacks, which his doctor said was because of the heavy work that he had been doing. This meant he had to stop working and go on the sickness benefit. He received nothing from the company he had been working for at the time in acknowledgement of this.

He still works in construction but now in jobs that take less of a toll on his body. His work is still insecure as he is an on-call contractor who rarely knows from one week to the next where and on what he will be working. He feels trapped in casual work and believes that the main company he works for will not put him on a permanent contract because of his age. He is now paid above minimum wage and reckons that he and his family earn just enough to make ends meet.

In only one of his jobs – one for a large company – was he a union member. During his working life, he has been unaware that he could negotiate pay or raise safety and other concerns. When asked about this, he told us he wouldn't feel comfortable talking to his bosses about these matters. For jobs where he was employed permanently, he was not aware that he was entitled to his annual leave balance in his final pay.

When asked about changes that could be made to improve things, he urged young people to stay in school, get their qualifications and, if possible, go on to university.

Experiences of self-employed contractors

Self-employed contractors shared many of the same experiences as employees, including discrimination and feeling undervalued. The insecurity of their employment, however, could mean they were subject to other forms of exploitation.

The key themes we heard were:

- lack of understanding of employment relationship status
- self-employed contractors are undervalued
- employers make empty promises
- self-employed contractors lack protections.

Lack of understanding of employment relationship status

Several Pacific workers we engaged with were unclear as to whether they were employees or self-employed contractors. This was observed in the construction sector as well as among workers in horticulture.

We also heard from employers of instances where they dismissed their employees and re-engaged them in essentially the same role but as self-employed contractors. This results in workers not enjoying the protections afforded to them under employment law.

When someone is a contractor, it is assumed that they have equal bargaining power with the principal. This contrasts with how employment law defines the employee/employer relationship. A fundamental principle embedded into employment legislation is that an employee has less bargaining power than an employer. When a power imbalance is the starting point, protections and minimum standards for employees make sense.

However, a contractor benefits from none of those protections. Everything is simply negotiable between the parties and captured in the contract. There is no minimum wage, no annual leave, no sick leave. It is assumed that the contractor will build these considerations into their charge-out rate.

Many of the Pacific contractors we engaged with had no such bargaining power. They were simply told the hourly rate by the principal rather than being the ones to begin the negotiation by telling the principal their rate. There was no further room for negotiation.

This is a problem of which the Government is well aware, having put together a working group on the matter of vulnerable contractors. It released a report in December 2021 that included potential solutions.[41]

Self-employed contractors are undervalued

The stories we heard are linked to specific incidents where participants felt undervalued, particularly with contracting parties not offering pay that matched their experience or level of skills. One construction worker told us he just wanted "good pay to feel [his] skills are appreciated" (S204).

A hospitality worker shared their work experience not being reflected in their pay:

> What I found difficult was that, even though I was more experienced, I was still offered the company's starting rate. (S653)

Many self-employed contractors shared experiences of being given more responsibility but not the fair remuneration to match. One worker from the arts sector told us:

> The opportunities seem to be there, but they are dragged out or seen as a way to give you more responsibility but not the remuneration because they think you benefit as much if not more from the upskill. (S723)

For self-employed Pacific contractors in the construction sector, training opportunities were needed but there was a lack of awareness of where to seek them from. One worker said:

> I am self-employed so I would need to seek these myself. I want further training but don't know where to go. (S203)

[41] Tripartite Working Group on Better Protections for Contractors. *Report to the Minister for Workplace Relations and Safety*. December 22, 2021. https://www.mbie.govt.nz/dmsdocument/19779-tripartite-working-group-on-better-protections-for-contractors-december-2021-pdf.

Employers make empty promises

Along with feeling undervalued, Pacific workers who are self-employed contractors shared experiences of empty promises made by the principal or partnering contractors. A Pacific worker from the arts sector shared being promised a bonus that they never received:

> I think the worst experience was being promised remuneration that was slightly lower than my previous job on the basis that a substantial bonus would be paid every quarter, which would have worked out higher overall. Then three months later when everyone got paid their bonus and I didn't, I complained to the person who hired me and [who was] told to tell me that contracts signed that month I joined and going forward were ineligible for the bonus programme. I had to stay in the role at that point with little options available at the time, but two years later when I was leaving, they offered putting me on the bonus scheme to get me to stay. I didn't. 10 years later, they still approach me asking if I will go back, but the trust is gone and the leadership is all white while it's the POC [people of colour] getting the work done. (S723)

The same worker told us about an empty promise made by their other contracting party:

> There was the time I was made supervisor with the promise of $25 an hour, and the assessment that I needed to sit kept getting pushed back every fortnight for a year until they finally realised I was going to hand the keys back if I didn't get the assessment and the higher pay. (S723)

In the agriculture sector, a group of male Pacific workers shared stories of operating as independent contractors and continuously experiencing empty promises by principals or partnering subcontractors. In one instance, one of the independent contractors shared his experience of tendering for a forestry contract with a fellow subcontractor from a large client:

> There is one more thing that I remember – like the signing of contracts. I'm talking about the forestry in the work I do. When you sign the contract in forestry, the contract puts it that you receive an equal 50 percent share. What this means is that the amount you receive from the company [client] for a job, one contractor receives 50 percent and I receive 50 percent as the other contractor. However, you get tired of trying to get the contractor to be honest with you on the 50 percent share that he is giving you. They conceal the amount from you. So how do I know whether he is being honest about the amount and the 50 percent share given to me? There are men here who we work together with in forestry that already know that this is what contractors do in forestry. I tell these men that the right thing to do is for the contractor to bring to them the amount that the company is paying them. At times when I try and address this with the contractor, they always tell me that they are unable to because of the law. Is there a law that prevents the working man from knowing the amount he should be paid when working? (T005)

Self-employed contractors lack protections

The issues discussed by Pacific workers hired as contractors are concerning. Contractors do not have access to the government institutions available to employees in situations where workers believe that they are not getting what they are entitled to by law. Unlike contractors, employees have the option of seeking mediation or contacting the Labour Inspectorate through MBIE. Employees may take a personal grievance against their employer if it is within 90 days of the problem arising. If mediation is unsuccessful, employees may raise their employment issue with the Employment Relations Authority.

In contrast, a contractor does not have access to these avenues to raise a complaint. If a contractor believes there has been a breach to their contract, they may pursue this claim through the Disputes Tribunal or the District Court, depending on the monetary value of the claim. The District Court process is more formal in nature and designed with the assumption the claimant will have legal representation, which is likely unaffordable to Pacific workers who are hired as self-employed contractors but whose wages are the equivalent or close to the minimum wage. In comparison, the Employment Relations Authority where employees can raise claims is designed so that lay people can represent themselves.

A manufacturing worker's story

We had a talanoa with a husband and wife who are both manufacturing workers based in the food-processing industry. Their jobs within that industry are skilled ones, and they are recognised as 'qualified' workers.

The husband, who is near retirement, has been working for the same employer – a leading international brand – for most of his working life. In the 1980s, he started on $5 per hour. While his pay has risen over time, he is now earning just over $22 per hour. This hourly rate is slightly above the minimum wage but less than the living wage.

When COVID-19 arrived in Aotearoa New Zealand, both the husband and wife were considered essential workers. Their roles in the food-processing industry were important to help sustain the population, and they worked throughout successive lockdowns.

Despite this service, the husband has recently been dismayed to receive a new contract from his employer as part of being relocated that described him as an 'unqualified' worker.

He told us that the reason for this is that his employer had recently provided him with an opportunity to upskill and earn a certificate in his field. Because he was anxious and unsure about using a computer, he turned down this opportunity. This left him feeling ashamed.

He does not feel, however, that turning down a training opportunity overrides his decades of experience and service for his employer. He feels that now being described as 'unqualified' is like being demoted and that he is being punished for his lack of confidence with computers.

To try and alleviate the husband's disappointment, his son-in-law, who works as a foreman mechanic, offered him a job closer to home. However, as the husband only has a few more years until he retires, he decided the best option was to stay with his current employer. His wife, who has supported him through this situation, also wants him to retire on good terms with the employer.

This experience has caused the husband considerable mental anguish. He does not understand why he is being devalued by an employer to whom he has been loyal for so long. He wants to be recognised for the contribution he has made and acknowledged as the qualified worker he is.

PPG
Pacific Pay Gap Inquiry

Being undervalued in the workplace

We heard of Pacific workers' experiences of being devalued and undervalued in the workplace and experiencing workplace insecurity.

The key themes we heard were:

- devaluing of Pacific peoples' cultural skills and knowledge
- undervaluing of Pacific peoples' talent, labour and work experience
- insecurity of employment.

Participants felt their experiences in these areas contributed to the Pacific Pay Gap. A consistent theme was people doing additional work with no additional pay or having extra work unrecognised and unremunerated.

Devaluing of Pacific peoples' cultural skills and knowledge

This section covers the lack of recognition of Pacific workers' cultural capability and other social and cultural assets. It looks at both the lack of recognition of these valuable skills and the expectation that these skills will be used but not remunerated or otherwise rewarded.

Pacific linguistic and cultural capability

One of the common ways that this occurred was employers not recognising and rewarding Pacific peoples' linguistic and cultural skills, particularly when they were drawn on to support Pacific clients or patients. This was a particular concern for Pacific workers in the healthcare industry, who often drew on their linguistic skills and cultural knowledge to support Pacific patients. This was not only part of healthcare workers' routine work when caring for patients but also additional to their main duties. One experienced Pacific healthcare worker told us:

> As a mature male with years of experience and well versed in my ethnic language and culture, I often get asked to assist outside my normal role in urgent situations to either translate on behalf of patients and/or help resolve challenging patient behaviours, which are not reflected in my salary. Moreover and being a person with mana and spiritual beliefs, I help calm or sort out difficult situations faced by patients and professionals alike that other trained non-Samoan professionals cannot resolve. (S081)

Another Pacific healthcare worker shared a similar experience, identifying that pay was linked to years of experience and not the other skills and qualities an employee might bring:

> I have been using my cultural background and language to work with my people and yet I am not recognised for this. The pay scale is according to years of experience rather than the quality of cultural experience you bring to your role. (S151)

One of our Pacific key informants in the healthcare industry agreed, noting the systemic assumptions about the kind of language competency required. They felt that recognising the linguistic skills that Pacific workers brought was essential to addressing wider equity issues in the healthcare system:

> The emphasis in our system is based around English competency and nothing about their language competency. When we talk about their preface, which is language competency, but when you look at the nuts and bolts of the language competency, it's all English based and nothing to do with Samoan competency, Tongan competency. When you talk about cultural competency it is prefaced on Māori – and well and good, that's similar to our Polynesian culture – but there is a scope when you look at hospital admissions, when you look at people accessing services, there is a big portion of Pacific Islanders. Why aren't we extending the competency to look at Pacific cultural competency, Pacific languages? And therein lies our problem. (T003)

This person also identified a solution to this issue:

> Some really rapid ways to redress inequity would be to create spaces within the current pay scales to pay people more if they speak a Pacific language and because that's a target cohort for our health outcomes. (T003)

This call was echoed by other Pacific healthcare workers – "being paid for our unique skills, talents, natural abilities to work with Pasifika people" (S049).

At a Pacific workers' talanoa that concerned social work and the wider social sector, similar issues were identified:

> Pasifika workers bring unique cultural skills to workplaces. This is especially true in social services where the cultural skill of language allows for effective communication with Pacific families ... Without effective communication, appropriate strategies for support cannot be developed or implemented. Pasifika bring these skills and are called upon for translation purposes within a variety of industries – a role which monolingual speaking staff are unable to fulfil. However, the pay gap strongly indicates that these crucial skills are not acknowledged or valued, even though they are the key to effective engagement and developing close working relationships with Pacific families. (T011)

Another Pacific worker in this talanoa summarised the unfairness and racism behind the expectation that Pacific workers would provide cultural skills and expertise without being remunerated for it, tapping into a sense of community responsibility that many would be reluctant not to fulfil:

> Additionally, within the formal workplace setting, Pacific workers report that it is common that they are asked to act as a cultural advisor and liaison, above and beyond their job description and without any renumeration. Essentially, Pasifika experience racism through an expectation by employers that they will undertake unpaid work outside of their job role within their workplace and provide default expertise on behalf of Pacific people, which many experienced as an "intense responsibility". This has financial implications for them and impacts their ability to fulfil their obligations outside of paid employment. (T011)

Pacific social skills and values

In addition to their specific cultural and linguistic skills and experience, Pacific workers bring other social skills and values that are not often appreciated as assets in the workplace. These traits, which many participants said were key parts of their upbringing, include loyalty, hard work, humility and learning quickly.

Some of these values, particularly humility, can be at odds with values in the workplace such as assertiveness and questioning those in authority. They also tend not to be valued as highly as academic and professional qualifications. As one construction worker summarised, "I think our people get overlooked because of lack of qualifications, but the potential to learn quickly and be loyal is never taken into consideration" (S209).

Loyalty was a theme that several participants identified. One person who worked in health noted that this sense of loyalty related to not raising issues and missing out on promotion and increased pay:

> A PI workforce work hard and go out of their way to meet the demands of the service and seldom complain. PI need to be recognised and get paid to what their counterparts receive. (S063)

Other participants commented on qualities they felt Pacific workers shared that went unnoticed and unrewarded in the workplace. These included the ability to work hard and to be humble. A construction worker told us "our people are some of the most hardest, caring, humblest workers I've worked with" (S198). Another person, also in construction, commented "it is difficult for Pacific Islanders to ask for money as we are raised to be humble – it sucks but it's how I am" (S204).

The quality of humility was apparent in other fields too. At a worker talanoa focused on social work, one participant shared:

> Pacific social workers report that, when a first pay offer is made, it is generally accepted without challenge. The reasons given for this are Pacific cultures often hold a value of humility and therefore a belief of what is offered is what they should have. (T011)

A manufacturing worker felt that companies would benefit from Pacific peoples' skills but that humility could be holding people back:

> All companies should be taking advantage of employees' life skills as well. It's difficult to see me grow in a company where majority are skilled yet not taking on more responsibilities due to pay. (S027)

One of our key informants made the link between these qualities and the historical reasons Pacific workers have been attracted to Aotearoa New Zealand:

> I think historically we've always used Pacific Communities and migrant communities to do work here that Pākehā people think they're too good for, but that's also connected to low benefits in the last 30, 40 years. (T002)

She connected this with a skill that Pacific workers are supposedly known for – resilience:

> Yes, it's great that we are resilient people but why? We've had to be. We were forced to be resilient. And that's used as a catchphrase in a lot of career progression or whatever for Pacific people, diversity inclusion. The word resilient – use that. We're resilient. I wish we didn't have to be resilient. (T002)

Another person commented on one of the cumulative impacts of humility and resilience, particularly in physically demanding low-paid work. It can take a toll on the workers concerned. This person wanted to change the way the narrative was framed around Pacific peoples' work:

> The type of work that we are doing not being valued, and I think changing that conversation from the type of work we are doing being low skilled to the type of work we are doing is actually high risk in terms of our health – the implications of that. The amount of family members that have arthritis from all the nightshift and the factory work, the back pain and the NCDs. Those social inequities obviously play a massive part in the type of work that we do end up in. (T012)

Researchers have begun to connect how the historical undervaluing and abuse of Pacific peoples' labour connects to the contemporary undervaluing of Pacific peoples' labour, which contributes to the Pacific Pay Gap.[42]

Hard work and knowing one's own worth

Related to the preceding discussion, several participants commented on the need to build confidence among Pacific workers so that they would know and appreciate their own worth – and the skills and experience they bring – in the workplace. One health worker outlined how Pacific workers were not paid for their worth:

> I feel the efforts and time we as Pacific Islanders spend to better a company and push through with targets, we don't get paid for our worth. I feel sometimes we are categorised with a static pay rate despite the many experiences and years we spend at a job to make it prosper while other cultures get paid more just because they received a degree in the field but not enough or no experience dealing with the hard work by hands. (S076)

[42] Tuiburelevu, Litia, and Hugo Wagner-Hiliau. "Pick Your Own Damn fruit." E-Tangata. November 1, 2020. https://e-tangata.co.nz/comment-and-analysis/pick-your-own-damn-fruit/

Based on their experiences overseas, one manufacturing worker told us:

> After living and working overseas for eight years and returning back home, the difference is culture. It's good within NZ workplace but that doesn't pay the bills. It's like PI people have that respect in which it's all good, but aren't knowledgeable enough in knowing one's worth. Not wanting to sound snobby or offend any PI. We may not have qualifications, but the skills/ experience some hold and being hard workers they need to realise it's worth fighting for if they're well knowledgeable in knowing their worth and what's out there. Always been told anyone is replaceable and you won't get that training or be able to grow if you don't ask and show capabilities or fighting for it. Our people need to realise. It's sad but true, it's like a game where you don't want to share too much skills or knowledge but need to look at oneself on how not to be replaceable and withhold but still showing profitable results. (S010)

As several Pacific commentators have noted, if the Government and employers were able to understand the strength in collectivist Pacific values such as reciprocity and respect, the Pacific community would be better able to empower themselves as a collective through shared community building. Drawing on Pacific perspectives encourages community-driven solutions informed through Pacific values and strengths.

Family, community and voluntary service

This section relates to Pacific workers' experience of volunteer service and community leadership that are vital parts of the cultural skills, experiences and assets that they bring and are often not recognised as useful in the workplace.

The Pacific ethic of contribution and responsibility are paramount in Pacific peoples' attitude to work. One healthcare worker told us:

> Our attraction to a role is because you know you can contribute. You come with that. You never think of the money first. It's always, "Will it be a good fit for me? Can I contribute? Are my skills aligned to this role?" (T002)

This is supported by research that shows that such obligations and commitments carry just as much importance as providing income for Pacific families. This importance reflects Pacific values that regard the work of holding the family together as both esteemed and valuable.[43]

Most participants identified that they had family, community and other responsibilities in addition to their working lives. This work was unpaid, unacknowledged and unrecognised in the workplace. One person told us:

> I do a lot of unpaid work like being a secretary for a sports club and coordinate TAG. I'm an unpaid Board member and contribute to my community through different activities. (S156)

Another said:

> I am aware that with great privilege comes with great responsibilities. So I am always extending and perhaps overextending myself in many other ways to help my extended family prosper, help with scholarship applications using my talents to help family and church members in the community. (S091)

Some people identified that it was not only workplaces that needed to value these skills that Pacific workers bring. They felt that the workers themselves needed to see that these additional responsibilities can have a value in the workplace and could be acknowledged and remunerated. One healthcare worker related this to the need to build confidence:

> There is a lot to learn about our people knowing and valuing their 'outside of work skills' – the invisible things that often don't get acknowledged in professional work. It's taken me years to see how my church, local board, board of trustees involvement and helping family navigate health appointments, Mum, life, daughter, niece, Aunty etc. have all played a natural part to my professional career. I think these are points that we need to help sell ourselves and get the best dollar. Building the confidence to get that top dollar has taken me a long time. I started my professional career at the age of 21 years old and

[43] Naepi, Sereana. "Pacific Peoples, Higher Education and Feminisms." *In Decolonization and Feminisms in Global Teaching and Learning*, edited by Sara de Jong, Rosalba Icaza, and Olivia Rutazibwa. Abingdon: Routledge, 2018, 11-24, https://doi.org/10.4324/9781351128988

> only at the age of 36 do I have the courage to aim for top dollar – having the ability to meld all my life experiences. (S091)

Some people linked these responsibilities to the concept of 'essential work'. Work in the community, particularly caring work, is unpaid, voluntary and undervalued, yet it is an essential part of the economy – one that often enables those in paid employment to do their work. It is also often done by women and older people. One key informant commented:

> So looking if society should be structured just around essential, what is considered to be essential work? And a lot of that essential work actually is being carried out by people on benefits, either caring for family, volunteering, all these types, like creative work, all these kinds of things aren't even considered to be of value. (T003)

Upholding their community and family obligations sometimes came at a cost in the workplace. When she took time off to help her family, one healthcare worker told us how she was made to feel unreliable:

> No option for promotion in my current role. Taking time off in previous roles to care for my children and elderly mother gave me a reputation of being unreliable at work, because I chose to be reliable to my family. (S105).

She felt Pacific workers were perceived "as lazy when we stay home to care for sick family member" (S105).

Essential workers

The phrase 'essential worker' is one that has become prominent since COVID-19 arrived in Aotearoa New Zealand in early 2020. During lockdowns, for example, those deemed essential workers were permitted to leave their homes and continue their employment while everyone else was expected to stay at home. Many of the occupations identified as essential work had a high concentration of Pacific peoples.

Much of this work was also done for low pay and at the risk of Pacific peoples' own health. One key informant commented:

> This whole idea of essential services that was born out of COVID and seeing that actually all the essential work in our community is considered to be low skilled and low waged, but actually, when the shit hits the fan, all of the things that we deem important are the things that hold us together. (T003)

This idea extended to other industries, with people identifying the lack of recognition of essential but often lowly paid and unrecognised workers. In healthcare, for example, our key informant identified the critical work done by cleaners and orderlies in preventing the spread of infection and assisting patients:

> In terms of health, there's a hierarchy of roles. How do you address inequity? I mean, if you take away your cleaners and your orderlies right, the place will fall apart. I know it sounds philosophical and probably I'm dreaming, but in terms of hierarchy of essentialness and importance of roles, is that a factor in the remuneration structure at all? (T003)

Another key informant saw similar issues in other industries and identified the need to change the conversation about what kind of work was really essential and how this would impact the valuing of Pacific peoples' work:

> Something I really wanted to pinpoint, and again you might already have this, but exploitation of Pacific people and our labour with RSE, caregivers, factory workers, in those spaces especially, and we see with our essential workers who have really kept our country going – so many being Pasifika and so many putting their health on the line constantly, even before lockdown, as well. The type of work that we are doing not being valued, and I think changing that conversation from the type of work we are doing being low skilled to the type of work we are doing is actually high risk in terms of our health – the implications of that. (T012)

One worker outlined what they would like to see in the workplace instead:

> As a Pacific, we are often juggling being the primary provider, parent, carer for our own parents and also community involvement (e.g. church). A good workplace recognises the many hats we wear and values the unique attributes and skills we bring and is understanding of this. Some workplaces tend to think they have the right to own all of our time between 9am–5pm and everything else in our life needs to stop so we can be fully devoted to our work during those set hours. This is unrealistic ,and

> they are likely to get the best work from us when we can have flexibility in the 40 hours per week we are contracted for. (S071)

Research has described the excess labour that Pacific workers undertake in the workplace. Excess labour is labour that employees take on within their workplaces that is unpaid and unrecognised. Pacific workers experience both the extra labour of being 'the' Pacific person in the room while also negotiating white privilege alongside Pākehā colleagues or managers who resist or refuse to recognise its existence (S193).

In practice, this means that a Pacific worker may be asked to do the labour of providing a culturally safe space for all Pacific employees and to provide cultural competency training for non-Pacific to engage with Pacific clients – an additional labour that may not be recognised in progression or remuneration.[44]

Undervaluing of Pacific peoples' talent, labour and work experience

Participants identified that a contributing factor to the Pacific Pay Gap is the undervaluing of Pacific labour. Within our three focus industries – construction, manufacturing and health – this included lack of equal pay (receiving lower pay than non-Pacific colleagues despite having the same qualifications and experience), not receiving a higher duties allowance and being expected to 'fill the gap' without renumeration for extra labour.

Lack of remuneration for higher duties

Pacific participants shared stories of being asked to fulfil higher duties in their workplace without compensation or an allowance for picking up this extra responsibility and being asked to 'fill the gap' by completing extra tasks without being renumerated. One construction worker told us:

> Currently been in my role for two years now and have been doing higher duties since I started. I cover for my people leaders when they are on leave and sit in their meeting and discussion. My TL keeps promising me a TL role, but none is planned. I feel like they keep dangling the carrot and expecting me to do the higher duties for experience … here we go again. Especially when my counterpart does nothing along the lines of what I do. (S209)

We heard many experiences across several industries of people taking on higher duties and not being remunerated for them. One health worker told us "I've been told that I'm the highest paid amongst the admin team – I did most of a manager's job but never got paid as a manager or close to manager's wages" (S070).

[44] New Zealand Human Rights Commission. *Talanoa.*

Another worker had a similar experience and was not aware she could ask for a higher duties allowance:

> I have been asked to cover or be seconded into senior roles at times with no pay renumeration – that's because I did not know this existed. (S152)

A male construction worker had a similar experience of being 'promoted' without a pay increase:

> I was put into a higher position for almost a year and was never given recognition or a fair pay rise for the work that was so far out of my scope of knowledge and contract. I didn't ask for the position. I was told to do that work even though I was still being paid the same as my last position, which was not a managerial position. Hardly a promotion. (S193)

No remuneration for providing additional work

Pacific participants shared stories of 'gap filling' where they were being asked to do extra labour because other workers were missing, but their pay did not reflect this extra labour. Some spoke of the pressure of their employers wanting them to pick up extra hours, with some being forced to do extra work whether they wanted to or not.

At our worker talanoa for the manufacturing industry, one person said:

> Always get pressure to working weekends, overtime, can't say no. Boss always says you have to work late, but you'll still get paid the extra hour or two hours or whatever. (T013)

A health worker spoke about being forced by her employer to do extra work, which eventually led her to resign from her position:

> I was forced to take on a separate contract that was paying me for seven hours per week extra. However, the duties of that role separately were at least 20 hours. I declined to sign the contract, and in the end, employer pulled out a clause in my contract making me have to do those duties anyway. I was on 30 hours per week but they only increase hours to 12 extra. I advised that I felt it was unfair and had concerns for my health and lack of support from management. This experience was what make me resign and look for other work. (S175)

There were several examples of people not being adequately remunerated when they did pick up extra work whether under pressure or not. They identified risks if they spoke up about this. One manufacturing worker told us:

> This part is the most disappointing part of my work. They don't like people asking for the right pay to be paid to us according to the work we do and how hard we work to make sure their company will still be around for many years. If we ask about why we get [underpaid], we would label as troublemakers and they will find something even if it really small to kick us out of the job. We don't get paid for working overtime and had asked too many times to explain to us why they do this only to be shut down and threatened to lose our jobs. We have reached out to the union to help us as we are working in cold conditions and normally over 60 hours a week without bonus and being paid with the overtime rate. (S010)

Others explained how the additional work they put into their existing duties was not recognised or reflected in their pay. One person told us that it's "hard to be paid your worth – extra work is undervalued and taken for granted" (S045). Another gave us an example of the extra effort she put in to do her job:

> A paragraph in English is two paragraphs in the island context, and when you have to explain it, it takes up to half an hour to just explain that disorder to the person, and our Pacific nurses have to do that. They are called upon all the time. We're not remunerated any differently; consequently, our workload is more than our counterparts who sit alongside us, and we have the same patient allocation. (T003)

Some people noticed inequities between different worksites that they felt were not adequately recognised:

> "We work harder here at this factory at [placename] than the one at [other placename], but they get paid more. The work is hard, tiring, heavy, we are tired every day. (T013)

Pressure and lack of adequate remuneration also manifested in other ways. In some organisations, Pacific workers were in national leadership roles –

for example, as Pacific advisors or leads – and they would be the only person with those responsibilities. This placed them under pressure to be everything to everyone while seldom having their contribution appropriately recognised or given the status it deserved. At our healthcare talanoa, we heard:

> When I started as a practice leader, I know the role the organisation put me into a national role meaning I look after all the regions of the organiser because it was just only one Pasifika practice leader, that was just me … And it's a big organisation. Not only I look after the whole organisation in terms of the cultural competencies and training, blah blah blah, but also I look after all entities … within the organisation. It's a big thing. It's a big job, but they never, never acknowledge the role as a national role. They just call me as a Practice Leader Pasifika … I compare my role to other national managers of the mainstream. They only look at 11 regions. They only look at one entity like mental health and disability and they become national managers … It is frustrating and it's rewarding at times. I know it's because it's just only one person in the role and I was the pioneer of the role. I was asking can I be able to look at the work of the person who started before me so that I can follow up with that? All the strategies and blah blah blah. They said no, you are the first one in the role. You do your own, you create everything, and I said, oh OK, it seems like it's a lot of work, but they don't. They don't recommend there or acknowledge that. (T014)

Insecurity of employment

Pacific workers shared stories of how their communal responsibilities were taken advantage of by employers and resulted in exposure to insecure work as they knew they needed to provide for their families no matter the cost. People identified that they stayed in their jobs so they could provide for their families. This puts a different complexion on the loyalty many people described above. One health worker told us:

> And I think because we don't have the luxury to negotiate, you know, because if you turn that job down, that's like your rent is not going to get paid, your car could get repossessed, so it's not as easy as – like you know, if someone offers you a job, you've got to take it. Because that could mean living on the street, you know, not being able to pay for stuff. So negotiating is not possible for us, because, like in my family, I'm the only person who's qualified, so I can't afford to say no because of a five grand difference. (T015)

Some received threats concerning what might happen if they tried to assert their rights. At one of our talanoa, we heard:

> We can't raise our voice there. As soon as we raise our voice, we have been threatened many times – "Oh if you can't do this, maybe its better for you to be sent home" – and give us two months to go look for another job instead of saying I'll cancel your visa. That's the threat. (T005)

Those who worked on short-term contracts or doing seasonal work experienced anxiety about getting the support they needed to make ends meet. One person who contributed at our Gisborne talanoa spoke about the difficulties her family experienced in the off season. She found it hard to navigate WINZ processes "due to overlapping time periods with pay and WINZ process, WINZ are not able to help and the process is very long and unhelpful" (T009). With no other options, this caused her and her family more stress and worry.

A healthcare worker's story

A Pacific worker in the healthcare industry, currently based in the regions, told us her story. She had originally trained in another field, receiving tertiary qualifications in that field. Despite this, when she applied to do a healthcare course she was interested in, she was discouraged by a lecturer on her interview panel. This lecturer told her she might not be able to manage the workload, particularly the theoretical material. She persisted in her chosen field despite her lecturer's lack of confidence.

In her cohort of tertiary study in health, she was the only Pacific student, as most others came from Asian or Pākehā backgrounds. She has kept in touch with her fellow students in the years since the course finished, witnessing the differences in their careers as they have gone into the workforce. Several now earn more than she does, and some are now in management roles.

By contrast, after five years, she is still in roles at a similar level to when she started, although she acknowledges her pay has increased over that time. When comparing her salary with those of her colleagues, however, she found that she was paid several thousand dollars a year less than them. An example that particularly stung was when a former student from her course joined her workplace a few months after her, and their starting salary was $5,000 higher. This was despite the fact the new person had the same qualification as her but slightly less experience in the workplace.

She chose not to raise this issue with her employer. One of the reasons for this was that her employer at the time had told her that her qualification was considered not as high-quality as others, despite the fact that other people from her course were employed there. She was also keen to keep her job and did not want to be seen to be making trouble. She told us she did not negotiate her pay when she first started in the job and was not shown any information about pay scales during the recruitment process.

As a Pacific worker, she often has a good rapport with her clients and is able to relate to them holistically – a strength that her non-Pacific colleagues may not have. She feels this particular strength of hers is overlooked when it comes to promotion or other opportunities for advancement and in one example has actually worked against her. In this case, her employer had promoted a colleague who did not have people skills into a management role. She believes that racism had a role in this decision – the colleague promoted was Pākehā as was the person who promoted them. The person had been chosen via an informal process where the employer had a conversation with each staff member – she did not realise at the time that this conversation was really more like an interview. When she asked her employer why the new manager was promoted ahead of her, she was told it was because they did not have the same people skills and would work better in management rather than with clients.

She has since left this job and has worked for other employers. Her experiences during recruitment have been different. For one role, she received information about the pay scale for the role. She saw that their offer to her placed her towards the top of the band. For another role, however, she asked for more information about pay and tried to negotiate a higher rate. In this case, her employer told her that they could not offer her anymore. This was despite the fact a non-Pacific colleague had recently negotiated and received a higher rate of pay. Again, she felt discouraged and did not want to pursue the matter.

She says she feels embarrassed asking for more money. She has not sought other work because she wants to be able to support her family and not see them struggle. Her husband is currently not working so she is the sole breadwinner for the family, and she also supports her parents who are retired.

Despite her experiences, this Pacific worker is passionate about her chosen field and she loves working with her clients. She just wants to be paid fairly for what she does and to have her strengths and skills recognised.

Experiences of interpersonal racism

Pacific workers shared stories of interpersonal racism and discrimination in the workforce that contributed to their experiences of the pay gap. Their stories included both explicit and suspected experiences of racism. A small number of Pacific workers also reported that they experienced discrimination from Pacific managers and business owners.

Pacific workers spoke about the overt interpersonal racism they experienced, including racial slurs and harassment. More-experienced Pacific workers who observed or experienced racism were particularly concerned about its disabling impact on the younger generation. One Pacific healthcare worker told us:

> I can now see racist behaviour in work, racism against young PIs – how they're treated in the workplace, shuts them down, keeps them from being confident in progression. (T016)

A Pacific construction worker agreed, observing that there is "racism against young Pacific Islanders, shuts them down" (T017). These observations are supported by the Commission's previous research into young people's experiences.

Some Pacific workers noted the difference in the experience of racism between New Zealand-born Pacific workers and workers who had come from the Pacific Islands. Not all of those in the latter group recognised the poor treatment they experienced as racism at the time. One construction worker from Tonga told us:

> Growing up in Tonga, racism wasn't a thing, discrimination wasn't a thing. When [I] got here, I wasn't aware I was being subjected to racism or discrimination. Looking back, [I] understand I did face a lot of discrimination growing up, but at the time, just powered through it to make a better future.

They offered the reason, specific to Tongans, that "Tongans coming from Tonga don't realise what is happening sometimes because there are no colonial "other" in Tonga and our experience with colonisation in the Pacific is different" (T017). By contrast, they saw the immediate impact on their New Zealand-born workmates:

> [I] was called racial slurs, put up with it. [It was] the NZ-born Pacific Islanders that got really offended. I can see it affected them. (T017)

Some of the racism Pacific workers experienced was more subtle, involving indirect or even unintentional comments or incidents – ones that often make assumptions or perpetuate stereotypes. One student described their experience of these microaggressions:

> People often ask where do you come from or where are you from? I'm from Nelson. Someone asked if I was on a work visa. Just to answer your question, no I'm a proud New Zealander. I'm studying at Otago Uni, thank you. (T018)

Some of those who identified with another ethnicity as well as Pacific shared the tensions they experienced in the workplace, describing both discrimination by employers and the feeling of not being quite Pacific enough. One healthcare worker told us:

> I have been told at an interview before that I am not what they expected (physically) after reading my CV as I have a lot of Pacific-focused volunteer work on my CV but was not considered "Pacific looking" as my father is Dutch … On top of that, as a Pacific Islander who is also mixed race, often I do not feel that I have the authority to speak on these issues – cultural identity/lack of cultural confidence. (S077)

Experience of interpersonal racism has health and social impacts for the people on the receiving end. One researcher explained the physiological damages of racism to us:

> Stress and cortisol are elevated and people's sense of fight or flight is permanently turned on. Over a lifetime, you just carry this piled-on discrimination and its effects. (R001)

Low expectations generated by stereotypes

Participants felt low expectations drove employers' decisions. Several people spoke about the way they felt stereotypes of them as Pacific peoples were working against them both in finding work and once in the workplace. One construction worker told us about his experience of meeting potential clients in person:

> When speaking to potential employers via phone, all was very promising. Until we meet in person and I sense them withdrawing and hesitation because of my appearance - tall, brown, built, and dominant. (S206)

A female healthcare worker told us about being stereotyped in the workplace and feeling as though they could not win no matter what their personality was like. They felt they constantly needed to prove themselves to their employer:

> The industry considers Pacific Islanders as too loud if they ask questions about work conditions and other issues. On the other hand being too quiet and reserved is seen as lacking in confidence, or not competent in the work assignment/workplace. It's almost like they (employer) expect you to prove to them (employer) you are capable of what they have employed you to do. They don't say that you have a quiet personality and is capable of doing the work. (S187)

Available data supports these experiences

The context for these stories is that Pacific peoples have the highest reported experience of workplace discrimination, with 11.7 percent of New Zealand-born Pacific peoples reporting they have experienced workplace discrimination and 9.6 percent of Pacific-born Pacific peoples reporting the same.[45]

More recent research indicates there was a growth in the number of Pacific peoples reporting experiences of discrimination between 2008-2014.[46] Research also shows that Pacific peoples are unlikely to report facing discrimination at work as they fear reprisal or victimisation. This suggests that internal methods of reporting discrimination may result in under-reporting given national levels of experiences in discrimination.[47]

Our analysis of the available statistics suggests that the unexplained portion of the pay gap between Pacific and Pākehā men is around 73 percent, while that between Pacific and Pākehā women is around 61 percent. After controlling for occupation, industry education, this proportion is likely to be largely accounted for by discrimination and unconscious bias, although it can also be accounted for by issues not measured by available data sets. International research into the gender pay gap shows a similar unaccounted portion due to discrimination.[48]

In our focus industries of construction, manufacturing and healthcare, we note that research shows racism can manifest in specific ways. In manufacturing, much of it is tied to communication, while racism contributes to precarious employment conditions and poor health and safety practices in construction. In healthcare, racism is linked to lower-paid work and lack of recognition of Pacific region qualifications and work experience.[49]

Many participants felt their experiences of discrimination were likely to inform the Pacific Pay Gap. One person articulated this during a group talanoa, identifying that these experiences could involve both ethnicity and gender:

> I think what we will find and this is probably what you already know, is that there is discrimination. And one of the reasons there is a pay gap is that there's discrimination against who you are as a Pacific Islander, there's discrimination against women in the workforce. (T019)

We note, however, that while some of the participants who identified as female may also have experienced discrimination on the basis of their gender, most of the stories foregrounded a person's Pacific identity as the basis for the discrimination they experienced.

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[45] Daldy, Bridget, Jacques Poot, and Matthew Roskruge. "Perception of Workplace Discrimination among Immigrants and Native Born New Zealanders." *Australian Journal of Labour Economics* 16, no. 1 (2013): 137-154. https://search.informit.org/doi/10.3316/informit.363066000980903.

[46] Yeung, Stanley, and Charles Crothers. "Patterns of Perceived Discrimination in New Zealand and Their Social Contexts." *New Zealand Sociology 31*, no. 7 (2016): 205-226. https://search.informit.org/doi/10.3316/informit.561391235263905.

[47] New Zealand Human Rights Commission, Talanoa; Davis, Alyssa, and Elise Gould. *Closing the Pay Gap and Beyond: A Comprehensive Strategy for Improving Economic Security for Women and Families*. Washington DC: Economic Policy Institute, 2015. https://www.epi.org/publication/closing-the-pay-gap-and-beyond/.

[48] Davis and Gould, *Closing the Pay Gap and Beyond*, 202.

[49] Matada Research Group and Human Rights Commission, *Pacific Pay Gap Inquiry: Literature Review*.

Institutional racism in the workplace

Most of the experiences people shared with us related to interpersonal racism and discrimination. However, institutional racism underpins these experiences. This section discusses how structural racism impacts Pacific people's experiences of the pay gap. This can include streaming in schools, career advice, ideas about work and what it involves, the separation of family and community life from working life, and other aspects that might have influenced people's employment journey.

We have also drawn on research on structural discrimination in this section. This research reminds us that there are historical drivers for the discrimination Pacific peoples experience:

> New Zealand has benefitted from the colonisation of the Pacific by creating, and continuing to influence, education systems that limit Pacific peoples to low-skilled jobs. The 1950s–1980s saw New Zealand capitalise on this by 'importing' cheap Pacific labour which has contributed to the Pacific Pay Gap over time. The cumulative effects of occupational segregation, low pay, and little or no opportunity to upskill have prevented social mobility for Pacific peoples. Existing employment schemes such as the Recognised Seasonal Employer scheme continue this unfair labour transaction. Despite significant evidence of Pacific peoples experiencing racism in their jobs, there remain few accessible avenues for addressing this.

One healthcare worker told us about their experiences in higher education, and the limits the institution tried to put on her. Although she had a clear vision about what she wanted to study, the university tried to direct her into what they thought was best for her:

> I went into the study, having to prove that I was capable of doing university level study; which is really weird, because even though I did the Theology degree, I did other papers. You know, it was just horrible, because they look at you - and even one of the lecturers tried to convince me not to do the addiction study, 'cause they said, 'Oh, you know, you might not be able to handle the workload; the theory side of it.' And I said, 'Oh no-no, it's really what I want. I have looked at the counselling one, but it's not what I want; this is what I want.' And you know, they did try to talk me out of it. But yeah, it's just really weird, because you know I did a Theology degree, but a lot of it was theory based; but they never saw it as good enough for me to be able to do this other undergraduate degree, for addiction. (T.003)

A Pacific researcher we spoke to said:

> I've talked with teachers aka people who 'mean well', who have talked about PI males having an impact on the rugby field but not in education. These are nice people who subconsciously don't realise what they are actually saying this. Stereotypical comments. (R002)

They expanded on this theme to talk about how stereotypes can limit Pacific peoples into one type of employment, with 'well-meaning' encouragement into vocational training:

> Evidence from universities, six years after finishing a bachelor's degree your income will tend to surpass the person with vocational training. Nothing wrong with these jobs, but I am worried about our people being given one option. Māori historically were given only one option in NZ for the longest time. (Researcher)

A Pacific healthcare worker spoke about the dynamics of power in both the workplace and wider industry:

> I think that organisations like to say they are diverse, but in reality, most of the positions of power are taken by white men and women and white employees know how to talk the same language and access their white privilege that way. I have over 20 years of experience and am not recognised for this in my pay nor with regard from my peers or manager, which I assume is because I am vocal about racism in health against Māori and Pasifika and take time off to care for my family when they need me. I have only been able to work from home since the pandemic and am getting my work done well. However, there is an expectation that I will return to the office. (S105)

This worker's experience of white privilege is supported by research that shows that institutions can marginalise people through their regulations, policies and overall culture, which is often connected to institutional habit. The ways in which a company or institution does things based on their foundational value systems can contribute to or enforce institutional racism if the habits reward and/or encourage 'white' value systems.[50]

The experience of feeling like the workplace was not set up to help them fulfil family and community obligations was shared by other workers, who were again female:

> As the primary caregiver for my son and part-time carer for my dad, the workforce is not set up to support the family structure of many Pasifika families. (S158)

One participant summed up that this issue spoke to how work was defined:

> Like the system, what we perceive as work and isn't work is kind of very racist, sexist, ageist. (T020)

These women's experience are supported by research that has found that "the experiences Pacific women have in the workplace regarding discrimination and pay inequity indicate the existence of the glass ceiling".[51] Other research has shown that Pacific women are more likely to remain in part-time work than full-time work to meet family or communal obligations, showing that Pacific women are typically employed in reduced hours of work.[52] Potential explanations for such findings reflect the cultural and familial obligations Pacific women carry as daughters and mothers.[53]

There are wider wellbeing impacts of structural discrimination in the workplace, including on health outcomes and maintaining an adequate standard of living. Research shows that the aggregate effect of low pay, employment insecurity and structural racism produces negative socio-economic effects for Pacific healthcare workers.

For example, Pacific workers in the healthcare industry have an in-work poverty rate of 8.6 percent, significantly higher than all other ethnic groups. Again, as with the construction and manufacturing industries, the major concern of Pacific peoples regarding their overrepresentation in low-paying and less-secure healthcare work is for their ability to contribute to the wellbeing of their families and communities[54]

These research findings were borne out of several stories that we heard during our engagements. One healthcare worker told us:

> 80 percent of my pay goes towards my rent, and my partner's pay goes towards our utilities etc., petrol. It's hard trying to save here in Auckland let alone survive to next pay day, which is the fortnight. Living and surviving in Auckland are two different things, and I hope my children has a better future than me. (S174)

Another healthcare worker had a similar experience:

> My pay is not enough to live in Auckland. Everything is expensive now with rent going up, petrol and food prices. I'm worried my children will go hungry as I get paid fortnight. My rent is 80 percent of my wages, and sometimes I feel defeated but my partner tries to cheer me up by being positive. (S155)

Experiences of discrimination from Pacific leaders and business owners

Some participants we engaged with spoke of their experiences of discrimination from Pacific leaders or business owners with whom they worked. One person specifically told us "my experiences with regards to pay gap have been with Pacific managers/ employers, not non-Pacific" (S210).

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[50] Ahmed, Sara. *On Being Included*. Durham: Duke University Press, 2012, 26-42. https://doi.org/10.1515/9780822395324.

[51] Cotter, David, Joan Hermsen, Seth Ovadia, and Reeve Vanneman. "The glass ceiling effect." *Social Forces* 80, no. 2 (2001): 655-681.

[52] Fa'anunu, Sinama Tupou. "Experiences of Tongan Women Migrants at Paid Work in New Zealand." PhD dissertation, University of Waikato, 2007, 80. https://researchcommons.waikato.ac.nz/handle/10289/2299.

[53] Naepi, "Pacific Peoples, Higher Education and Feminisms," 17-21.

[54] Plum et al., *In-work Poverty in New Zealand*, 18; New Zealand Human Rights Commission, Talanoa, 25.

Workers can experience this as a cultural disconnection between themselves as workers and their Pacific bosses. In some of the stories we heard, this involved exploitation and poor management. In others, it involved invoking the Pacific way of doing things.

One key informant in the healthcare sector urged us not to forget to include Pacific employers in our Inquiry:

> If you look at [name of company] or [name of company] or some of those Pacific providers that are now hiring staff. Even in there, you mustn't miss them out. They need to be also brought in, because there lies a lot of … it's all the systemic thinking and culture of treating people has somewhat found itself in those spaces as well. So you have our own people not treating our people properly. (T002)

Several participants commented on seeing Pacific peoples in positions of power who they felt did not do anything to help other Pacific peoples. One construction worker told us:

> I see our PI managers who are in a position of power or position to make change for our people and their staff but don't – for their own reasons don't want to escalate or step on anyone's toes maybe because they're trying to climb the ladder so don't want to jeopardise their future. That's what we see all the time in our corporate world. (S213)

A manufacturing participant had a similar experience:

> I've worked here 11 years now. I've seen how Palagi bosses help Palagi workers, but this Samoan bosses don't help Samoans. Palagis don't help Samoans, nobody helping Samoans. (T021)

Some participants talked about the actions of a particular supervisor in their workplace who they felt used 'the Pacific way' to undermine their rights in the workplace, for example, when striking. During a talanoa with participants in the manufacturing industry, we heard how, during a strike, the manager had:

> … been calling on workers to come have a private sit down with him to sort things out the Samoan way. Workers were angry, did not believe that he spoke for them and for the Samoan way. (T021)

The manager told them they should be satisfied with the wages they were on because it was higher than what they might receive back in Samoa:

> [Samoan manager] also came and told us to just be happy, back in Samoa you don't get paid $20 per hour. It's totally different. In Samoa, we live in our own land, don't pay rent, food is cheaper, we have gardens too. Here, we don't have that. (T021)

This experience was similar in other industries. One of our key informants in the healthcare industry felt leaders invoked the Pacific way when it suited them:

> I keep challenging them and I say, "OK, we talk about the Pasifika way. What is the Pasifika way? Isn't the Pasifika way to look after our people and think about our people and think about the collective?" I always say this. I say, "Don't bullshit and tell me that's not the Pasifika way. When it suits you say it's the Pasifika way." (T003)

A worker in the construction industry had a slightly different story. In his case, he felt that working with family members meant putting up with exploitation:

> When working for family members, I was paid $100 for 12 hours a day. I knew I was being used. But needed to do the necessary reps to prove my worth. (T017)

Experiences of intersectional discrimination

Pacific workers do not only experience discrimination on the basis of their ethnicity. Participants told us of the double or multiple discrimination they faced based on other intersecting aspects of their identity, including gender, disability, gender identity and sexual orientation.

In this section, we focus on the themes of:

- discrimination due to gender and ethnicity
- discrimination due to ethnicity and sexual orientation or gender identity
- discrimination due to ethnicity and disability.

Discrimination due to gender and ethnicity

In the manufacturing sector, a limited number of Pacific workers, mainly male, shared that they had been promoted into a leadership role. The remaining participants, who identified as female, told us that they had never been promoted. One woman said there is "never an opportunity to be promoted – they expect you to be happy with what you get" (S016). Another woman said that she had only been promoted after decades of service – "took 40 years before I become a Lab Manager" (S008).

Another woman had a different experience of being promoted in name only – "in my old job, I was promoted to a new position and I thought I would get a pay increase and a new contract but didn't – also still had to go back and forth multitasking" (S032).

Similarly, in the construction sector, a small number of participants shared negative experiences with promotions based on both their gender and ethnicity.

In comparison, the health sector had a small number of Pacific workers, mostly female, who shared that they had positive experiences with promotion. A significant number of these participants held postgraduate degrees. However, this does not explain their positive experiences because, equally, a large number of female participants who never got promoted held the same level of qualification.

Discrimination due to ethnicity and sexual orientation or gender identity

In this section, we explore what rainbow community members shared with the Inquiry about pay disparity as well as solutions for change and closing the Pacific Pay Gap. We heard both negative and positive experiences on the employment journey. The engagement with the rainbow community involved talanoa set up with members of a rainbow group working in the education sector and identifying rainbow members in general talanoa.

Within the university sector, rainbow participants felt that barriers and discrimination to progression existed. While discrimination was not always explicit, rainbow participants felt the need to downplay their sexuality. One person said:

> Being gay at the university you do have to downplay … in HR, it's a bit more accepted … it's something that you kind of downplay to keep … in terms of your reputation so it doesn't affect your work so much. (T022)

This barrier was further complicated by hierarchies within the rainbow community, which one Pacific worker described in the following way:

> Even within the rainbow community, there is a hierarchy. At the top, you have gay white men, and then gay white women, lesbian, then you have person of colour, person of colour male and then you have woman, and then, unfortunately, our transgender are right at the bottom, which is sad. That even within our own communities, people don't say this, but this is how it works, right? It shouldn't but it does. (T044)

There was a general consensus that, within the rainbow community, transgender people face the most barriers in employment. One Pacific worker shared their views on this:

> And unfortunately the people who bear the brunch of this are the trans and our māhū sisters and brothers who find it hard to get those opportunities. (T044)

Regarding promotion, one Pacific worker who identified as gay shared his experience of successfully being promoted during his employment:

> I started off temping and doing what I used to call back then the 'dirty work', doing the groundwork, essentially worked yourself up and held manager roles in a renowned logistics company. Recently I was appointed as one of the regional managers. (T045)

While he had positive experiences, the same worker acknowledged that:

> Within logistics, it's a brutal industry … knowing that I was gay kind of did not fit well, but it was just the values that my parents taught me, the fa'a Samoa way just to hang in there and toughen it out kind of things. (T045

In contrast, a Pacific education worker shared that it was difficult for people to apply for promotion within their roles. He commented that "people have to leave their roles to apply for another role if they want to move up the pay scale and banding" (T050).

Some Pacific workers highlighted that the interview process is not conducive to the Pacific way, especially for demonstrating skill set. One particular Pacific worker shared his experience:

> But one thing I can say is that recently I've been sitting on our interview panel and a lot have been Pacific staff. And one thing that I noticed across the board, not particularly to LGBTQ, Pacific across the board is that the way the interview process went wasn't the most conducive to allow them to show their skill sets. And I think that that is such a big problem. (T046)

Another Pacific worker shared the idea of perfect masculinity as being a barrier in the workplace. While this particular worker encountered few obstacles in the workplace, he shared:

> The few obstacles that I've encountered have been in Pacific spaces – situations where because you don't fit a specific idea and patterns of masculinity and people question your integrity and ability to be effective in certain roles. (T047)

In line with what has been shared by Pacific workers from outside the rainbow community regarding gaining employment, many like this particular Pacific education worker commented that "I was one of those people who was just very thankful to be getting what I was getting" (T048).

Additionally, pay transparency and understanding of the banding scale were barriers for Pacific workers in the rainbow community. One Pacific worker shared that "while the ranges of salary are listed on the intranet, the actual salary for roles are not available unless you know what your colleague is getting – other than that, you won't know where you stand" (T049).

As commonly shared throughout the employment journey among many Pacific workers, the Pacific rainbow community implicitly shared their experiences of their Pacific cultural capital not being valued.

One Pacific worker shared his thoughts on Pacific cultural capital not being valued, yet, in their role, Pacific peoples are expected to perform equity duties:

> When we have restructures, our people are the first to go because they have not met the publication criteria and haven't met the research … because they've been doing all this other important work because the university says it's important for equity, important for excellence but it doesn't meet the progression standards. (T051)

While Pacific members of the rainbow community experienced similar barriers to non-rainbow Pacific workers, they had specific concerns: disabling ideas of 'perfect masculinity' in the workplace, hierarchies within the rainbow community that reproduced wider social ethnic and gender privilege and discrimination against Pacific trans people in particular.

Discrimination due to ethnicity and disability

The disabled Pacific workers we spoke with felt that "having a disability adds another element to the pay gap" (T052) and gave several examples of where they had not been paid fairly or where discrimination occurred in the workplace. They also presented ideas that could benefit Tagata Sa'ili Mālō | Pacific disabled people in employment.

The people we spoke with identified barriers before they even enter the workplace. Assumptions and biases can mean Tagata Sa'ili Mālō | Pacific disabled people are discounted before they are even interviewed. One person told us "for employers, there is an assumption that hiring a disabled person will cost more" (T023).

Others spoke about the barriers they experienced from their own families and communities. One person said "families don't think disabled people should have jobs" (T053). Another person said "there is still a stigma within our own Pacific cultures that encourage pity on the disabled person and family, this assumption they can't do anything" (T054).

By contrast, some of the people we spoke with told us about the support they had received from their families, which had enabled them to succeed:

> I couldn't have accomplished all that I was capable of without the support of my family and their motivation to find opportunities for me. (T055)

This was echoed by others who emphasised the positive impact of being in employment both on people's sense of worth and in their relationships with their families:

> For disabled people, that emotional contribution and monetary contribution helps with self-esteem, being a helper rather than a burden for your family. (T056))

As for all Pacific peoples, family and community is of central importance to disabled Pacific peoples. This was a difference they noted between themselves and the general disabled community. Some people expressed that the collective Disabled People's Organisations and the UN Convention on the Rights of Persons with Disabilities focused too narrowly on the individual. For disabled Pacific peoples, "our worldview does not centre around the individual – it's about the collective which sustains us" (T057).

Barriers are experienced while looking for work. The people with whom we engaged spoke about some sectors feeling 'safer' and more welcoming than others – the health and disability and NGO sectors were particularly singled out. One person told us:

> I have felt more safe disclosing my disability when applying for roles in the health and disability sector because I feel they understand. Whereas when I was a taxi dispatcher, that was a more difficult environment to navigate and I felt very uncomfortable bringing up issues relating to my disability. (T058)

In the recruitment process, applicants are often asked to disclose their disability status. One person we spoke with said it was unfair to:

> … have to disclose your disability at the beginning of the recruitment process. It should be declared later in the interview process where you are able to discuss the support needed and available for the candidate. (T059)

Others noted that e-recruitment "doesn't work for disabled people" (T060). Psychometric testing was singled out as another barrier.

Once in a job, disabled Pacific peoples worked hard to prove themselves, saying "that's why we value our jobs more, there's more loyalty from us because we know our options are limited" (T061). Even in supportive environments, some aspects of the job were more difficult, including social networking:

> For disabled people to connect, we have to do a lot more, try harder, social networking is harder. (T062)

The disabled Pacific peoples with whom we engaged had several ideas for improvements. These included:

- requiring employers to record disability data
- creating a relationship with recruitment agencies or establishing a dedicated recruitment agency – possibly via the new Ministry of Disabled People – to help disabled Pacific peoples find work
- making sure job ads say 'we're an equal opportunity employer' or 'we accept all applicants and value diversity' to send the message they are inclusive and understand the experiences of having disabled staff
- providing advocates and professional development opportunities
- recognising and remunerating the combination of lived experience and cultural competency that disabled Pacific peoples bring to an organisation.

Experiences of raising a concern in the workplace

This section of the report outlines the experience Pacific workers have had in raising a concern in the workplace.

We wanted to understand Pacific workers' experience of raising a complaint as it is often assumed that Pacific workers do not raise their employment concerns. This can mean that employers assume Pacific workers are happy with their work conditions. We learned from people in our engagements that both of these assumptions are incorrect.

Themes that reflect the key messages we heard are:

- Pacific workers actively raise their concerns
- employers do not listen when concerns are raised
- unaddressed concerns impact Pacific workers' wellbeing.

Pacific workers actively raise their concerns

The key finding from our survey and engagements was that Pacific workers do raise their concerns with their employers. These include concerns about pay, opportunities or safety in the workplace. People raised their concerns with their employers, with external agencies such as Work and Income New Zealand (WINZ) and the unions.

Of 500 responses to our survey, 73.4 percent of people shared that they had a concern in the last two years. Of this number, 50.60 percent of workers said that they did raise their concerns with their employer and 26.60 percent of Pacific workers said they did not do so.

The survey responses were supported by what people told us during our engagements. Pacific workers' main concern related to their pay, particularly around being underpaid and overworked. An agricultural worker told us that "the overwhelming amount of work I did did not match the wages I was given" (T005).

One Pacific health worker shared that she raised a concern about being paid less than her fellow colleagues. However, she was told in response:

> There was not enough money based on being an NGO. However, heard that other Pākehā employees were receiving higher pay than I felt they deserved in comparison to my work. (S138)

As an example of a concern that was raised with an external agency, one woman told us about the difficulties she experienced about paying for childcare due to her husband's seasonal work – during the rainy season, his work would cease due to the weather. However, due to overlapping time periods of pay and their process, WINZ were unable to help them with a childcare subsidy:

> I actually applied for the childcare subsidy but we weren't eligible because, during picking time, my husband gets a lot. And after picking … he's a seasonal worker out on the field – depending on the weather, it goes from $400 to $800 or $900 at most if he's working Monday to Saturday and it's 50 hours weekly. So going back to being declined the childcare subsidy, while he's picking, we try and part a large amount of his pay from now to make up for when he is getting $400, $500, $600, $700 during the raining season and winter seasons. So I was trying to explain to the lady from WINZ, and she was like "oh, sorry". Basically what she said was "too bad we can't help you now, just call back when you guys are getting $400, $500". It was really frustrating. (T009)

This experience was shared by other women in the same group. One told us "it's hard to explain my feelings and my thoughts about the way of talking with Work and Income because it's the same experience as her" (T009).

Both of these women also experienced language barriers, as English is not their first language, when raising their complaint:

> And that's the problem, there is no-one there that can actually advocate for our people mostly when they go through the doors of WINZ and stuff. (T009)

Pacific workers' experience of raising their concerns with their union differed from experiences with employers and external agencies like WINZ. Most of these experiences were either positive or neutral. Very few workers shared negative experiences when their concerns were taken to the union.

Many Pacific workers described how their union had supported them to raise a concern. One worker from the construction sector noted that they "have only succeeded through the union" (S181). A logistics worker described how they "got the run-around from team leader and supervisor so decided to take it up with union and fight for my pay" (S379).

Union support was particularly critical in concerns around pay and in pay negotiations – something that several Pacific workers felt uncomfortable discussing. One worker said "response from the union was appreciated that they help me with what I asked!" (T063).

Employers do not listen when concerns are raised

Of approximately 370 people out of 738 who responded to our survey and had raised a concern in the last two years, 93 indicated that they had raised their concern with someone. Table 8 sets out which person or organisation they had raised their complaint with. Most concerns were raised directly with a supervisor, manager or other authority figure within the person's organisation. Unions were the second most common channel identified.

Table 8 Reporting a concern

Who concern was raised with	Responses
Supervisor/team leader/manager at my organisation/company	87.10%
Union	38.71%
Ministry or Business, Innovation and Employment (MBIE)	7.53%
Human Rights Commission	4.30%
Other	12.90%
Total respondents: 93	

This table highlights that not only are Pacific workers raising their concerns, they are also raising them with the people who have responsibilities and obligations to address them.

During our engagements, however, we heard from many workers that their concerns are often ignored or unaddressed. This leaves them feeling dissatisfied, disrespected, stressed and – in some cases – threatened. These experiences may be why 13.8 percent of Pacific workers had a concern but chose not to raise it with anyone.

Several Pacific workers we engaged with told us that, when they raised a concern, they were ignored. Most of the Pacific workers sharing experiences of being ignored came from the health sector. In the instance of one health worker, she shared that "I felt unheard, ignored and shoved to the side" (S116).

In another example from the health sector, one person told us her employers tried to deter her from raising her concern. She shared the following experience:

> It was downplayed, ignored or I was told to bring it up in the next meeting or I was told someone has raised that issue with management and it didn't go well. (S176)

A construction worker had a similar experience when trying to raise pay concerns:

> Very stressful. The managers apologised for their behaviour. I raised concerns about my pay and they didn't want to discuss this. (S210)

Several Pacific workers reported experiences of their concerns getting no action. One healthcare worker told us:

> They escalate it and then it gets lost ... no action. And then discontent continues to grow and us Pasifika staff are getting angry, internalising stress and unhappy in our work environments. (S093)

While some employers were "open to hearing concerns but no actions" (S065), one particular worker shared that "I wasted my time to provide what they were asking for but they can't do anything to help with my concern" (S146).

Not only are Pacific workers' concerns often ignored or not actioned, some people also experienced threatening behaviour in response to raising a concern. One worker shared that her experience with authority when raising a concern was "uncivilised, unethical, threatening to fire me, racists, extremist" (S115).

In a more serious case, another worker shared their experience of feeling threatened:

> They acted supportive but were trying to get me fired from my job for medical reasons. I gave them full access to my medical records and they asked GP if I was not medically fit. I assume my GP gave me medical clearance because I am still in my role.

> Management never got back to me to tell me the result. I felt disrespected because this happened after I had been physically attacked and was under ACC for a fractured knee and slipped disc from the assault and was still trying to do work from home to help my team. I told my manager it felt like work was assaulting me in another way. HR was involved. It was not a good experience and it showed me that they do not value me. (S105)

Pacific workers who had these experiences felt that raising concerns was a "horrible, traumatising experience" (S098) in which they were "dissatisfied by the outcome" (S444). One healthcare worker summarised that the person with whom they raised their concern pretended to care but "was a really difficult person to talk to and super busy and unavailable" (S175). A manufacturing worker agreed, saying their employer was "dismissive, and the conversation never eventuated to anything" (S028).

The impact of these experiences add up, leaving some Pacific workers feeling as though, even if they did raise concerns, it would not be worth it. As one worker put it:

> I did have a concern, but did not raise it with anyone. Gets denied during conversation or just point blank unacknowledged. (S100)

Unaddressed concerns impact Pacific workers' wellbeing

While many Pacific workers who have concerns are raising them, they face barriers in having their concerns resolved. One of the impacts of these barriers is that they discourage other workers from raising their concerns. Pacific workers from across the sectors shared various reasons for not raising their concerns. These related to fears for their visa or employment status, not knowing how to make a complaint, fear of repercussions, feeling like their complaint would be ignored or out of respect for their leaders.

Pacific workers from the health and agriculture sectors shared concerns regarding their work visa. One healthcare worker told us "I am an immigrant visa bound and I don't want put myself in such position, I might lose the chance to renew my visa" (S170).

Several workers told us that they did not raise their concerns because they were "ilifia" (scared) to speak up. One Pacific healthcare worker said:

> I did have a concern but did not raise it with anyone. Fearful of the repercussion from management. (S110)

Supporting the experiences of those who raise concerns and are ignored, some Pacific workers feel that there is simply no point in raising their concerns "because my managers wouldn't do anything even when I did raise concerns" (S453). Another person said "I did have a concern but did not raise it with anyone – I felt my voice will be not heard" (S078).

Some Pacific workers did not know how to raise a concern, as in this instance of a health worker:

> I did have a concern but did not raise it with anyone. I was still new to my role and job and so I didn't know the right people to speak with. (S102)

Some may have had cultural and social reasons for not making a complaint, like the healthcare worker who told us:

> I did have a concern but did not raise it with anyone. Respect for authority and not wanting to cause trouble. (S081)

The following experience captures the sense of hopelessness that Pacific workers feel from not having their concerns listened to by those in authority:

> They knew that the complaint I had placed has been placed before. They asked me for more information and for others to put forward their complaints. But if they already knew about it, what was the point of me having to ask 30+ people to write complaints? And then it clicked … They've never done anything about [it] if those people have worked there for years and have just given up about complaining and put up with it. (S019)

Having workers feel discouraged or that there is no point in raising a complaint can also be unsafe, particularly in our focus industries of construction, manufacturing and healthcare. Research has shown that the cultural disconnect where silence is seen as a more respectful form of engagement by Pacific peoples in some situations can result in unsafe workplaces where Pacific workers fail to report health and safety concerns out of fear of job loss.[55]

[55] Matada Research Group and Human Rights Commission, Pacific Pay Gap Inquiry Literature Review, 24.

6. What unions told us

Bwatleon valaua non mera mai bugesi – Some leaders are up in the air, while others grow from the earth.

Vanuatu (Raga)

In 2021, Aotearoa New Zealand's overall union membership was 20.1 percent. Pacific peoples have the highest union membership rate of any ethnic group – 24.7 percent of the Pacific population are union members, very closely followed by Māori (24.1 percent). The proportion for New Zealand European's is 19.9 percent and for Asian and Other (combined) is 15.9 percent.[56]

During our Inquiry, we spoke with many Pacific workers who were union members. We also engaged with unions themselves, particularly their Pacific representative bodies (PRBs). Many of the experiences, aspirations and solutions shared with us by union PRBs were the same as those of Pacific workers generally. This section provides a brief overview of Pacific union membership and the benefits that brings and then focuses on the findings that were unique to the PRBs.

[56] Data provided by the New Zealand Council of Trade Unions.

Pacific union membership

Many members felt that the union was an important way for them to have a voice in their employment:

> A good workplace is where I have the ability to feel safe to speak up … the groups give us standing, opportunity to speak and have conversations with leadership and senior leadership as a collective. (T024)

A manufacturing PRB shared that collective bargaining and high union density along with a well organised "staunch" union was the crucial difference between their current pay rates, terms and conditions (overtime rates, double time on public holidays, significant night shift allowances) and the significantly inferior rates, terms and conditions they had received doing the same work at other less-unionised workplaces.

Several people noted that their union was of assistance when raising complaints regarding their employer. Most of these experiences were either positive or neutral. Very few workers shared negative experiences when their concerns with their employer were raised with their union.

One PRB shared that, as a result of their pay equity settlement, their collective agreements now included compulsory training, which was tied to progression and pay rises.

Union campaigning for pay equity

Pacific workers on the ground were largely positive about the benefits of belonging to a union, both in terms of collective bargaining improving working conditions and pay rates and of support when they needed to raise a complaint. During our Inquiry, it was raised with us that union support for servicing issues does not always translate into Pacific-focused – or even ethnicity-focused – action at the campaigning level.

The PRBs commented that unions were a vehicle for change. Some members did, however, say that they felt their unions needed to prioritise the ethnic pay gap along with the gender pay gap:

> There has been a huge focus around the gender pay gap. And as I have specifically said before, we really need to do better and be better in this space. And one of the things I talk about is the fact that there needs to be an investment in our people whether it be via an organisation or any level of structure. Because what we constantly see when we are mobilising our people – and we are thinking about how is it that we are going to move our people – is we are often thrown in as operational tack-ons that actually aren't sustainable. We need to be at the governance level, we need to be able to influence at that particular level so that we can be holding people to account. (Pacific public sector union leader)

> I think some self-criticism on our part, we did that for everybody, but we're a bit colour-blind or ethnicity blind, particularly Pacific people are in some of the lowest-paid jobs. (Pākehā private sector union leader)

One of the key messages we did hear from unions was that they considered that the Pacific Pay Gap was part of their broader work around advancing pay equity. They acknowledged that discrimination was intersectional and that there was a broad need for pay transparency. Some said they were in the process of working to extend their work on the gender pay gap to include the ethnic pay gap:

> You asked the question, what have our unions done about the pay gap, Pacific pay gap? Well, our union in partnership with community groups and faith-based groups, have pushed for the living wage since 2012, which recently went up this month to $22.75, and we continue to advocate through many negotiations. We continue to campaign hard and we lobby government and local councils to pay their direct and indirect workers. We continue to hold these politicians

> to account. We've also campaigned around the fair pay agreements and the FPA with the Labour Government who made it a promise and wrote it in their manifesto to deliver on the FPAs. It is in motion but it is not there yet ...These are the campaigns that our union are strongly advocating and pushing out. (Pacific private sector union leader)

One public sector PRB commented that they had contributed significantly to the requirement by the Public Service Commission that the public service measure Māori, Pacific and ethnic pay gaps.

Some members noted that the ethnicity of the union officials did not reflect the ethnic diversity of its membership – particularly the middle and senior leadership of unions. One member commented that the pattern seen with Pacific peoples being concentrated in the frontline/lower positions of the union while the leadership positions were overwhelmingly made up of Pākehā was a mirror of their employer.

Discrimination for belonging to a union

Several PRB members commented that they felt they were targeted by their employer for being a member of the union and that being a member of the union reduced their chances of receiving a promotion. The same PRB commented that Pacific peoples have a high rate of union membership when compared to other ethnicities. They felt this was a contributing factor to why Pacific peoples were less likely to be promoted than people from ethnic groups who were less likely to be union members.

7. Employers' perspectives on the Pacific Pay Gap

Keleunieng soupeidi – A chief is a hibiscus in the wind.

Federated States of Micronesia (Pohnpeian) Proverb

The employers we spoke with identified the concentration of Pacific workers at particular levels and/or particular occupations as a significant reason for the Pacific Pay Gap. Some employers recognised that collective agreements and unionisation might not only protect workers' rights but also help close the pay gap.

Employers told us that Pacific workers are overrepresented in the jobs that are lower paid and perceived as lower skilled. These same jobs are also more likely to be associated with hourly waged work as opposed to pay by annual salary and/or temporary employment arrangements, including seasonal work and work arranged through labour hire companies.

Most employers we spoke with did not currently have any specific measures in place to close ethnic pay gaps in their organisations. However, many of those that participated in the Inquiry expressed interest in learning more about what can be done to do so.

This section is divided into the themes we heard from employers of:

- monitoring the Pacific Pay Gap
- drivers of the Pacific Pay Gap
- the importance of collective agreements
- lack of diversity in applicants for senior roles
- perspectives on Pacific workers feeling undervalued
- occupational segregation
- perspectives on discrimination and raising concerns
- pressures securing adequate funding
- the impact of immigration and visa requirements
- lack of alignment on pay equity.

Monitoring the Pacific Pay Gap

Two-thirds of the 24 employers we engaged with had some form of system in place to capture the ethnicity of their staff. However, as will be discussed, most employers were not convinced that the system they had in place was robust enough to help to measure ethnic pay gaps.

Among the organisations who were not collecting ethnicity data of their staff, only one employer was opposed to the idea. They indicated that they believed that it was illegal and inappropriate to track ethnicity of their staff:

> I think that's illegal. If it's not, it should be. What's ethnicity got to do with employment or performance?

More often, the reason given for not doing so was that the existing systems in place had not been established to include ethnic data collection. Several organisations noted that they were in the process of updating their systems:

> Have never traditionally captured data. Have recently moved to a payroll system with intent to commence this.

As noted above, among organisations that do collect ethnicity data, there were several concerns expressed about the robustness of the information they were gathering. It is important that ethnic data is collected voluntarily and that employees wishing not to share this information with their employers are given the opportunity to opt out.

Some employers reported that many of their staff were choosing not to tell them their ethnicity. For example, one manufacturing company estimated that only 70 percent of staff had self-reported their ethnicity. One employer attributes this to the lingering impact of the Dawn Raids on Pacific workers, who may not trust the employer's intentions in collecting ethnicity information. Other problems included:

- systems require updating in order to collect ethnic data and, in particular, to collect data for staff who identify with multiple ethnicities
- data had only recently been collected and work would be required to collect ethnicity data for employees who had been at the organisation prior to when this data was collected at the onboarding phase

- organisations consisting of various entities that had been merged had uneven systems of data collection across their business
- companies with frontline staff who were not at desk-based jobs reported challenges in collecting/updating ethnic data as a digital survey tended to have low uptake.

In light of these constraints, it is perhaps not surprising that most employers we spoke with did not routinely measure the ethnic pay gap within their organisations. One manufacturing employer told us:

> Right now, we have absolutely no way of telling you what our Pacific Pay Gap might be, what our Māori Pay Gap might be or any other ethnicity within our system, and we want to be able to do that because I think that's where the really interesting stuff can actually start happening.

One manufacturing organisation told us about their work to try and eliminate ethnic pay gaps, which also offers potential solutions for other employers:

> We try not to have a gap regardless of your ethnicity. This means constant reviewing of people's performance so that they are aware of their work standards and having our employees help with ensuring the betterment of their individual work process. This helps empower all our staff. Works really well, we are keen in ensuring that our staff feel valued in the workplace. Retention is also a high driver for us within the workplace. To train a new employee costs more than valuing the staff that we currently have on board.

Drivers of the Pacific Pay Gap

Employers had a range of views on what they thought drove the Pacific Pay Gap based on their experience and workforce.

Some identified issues related to the workers themselves. Several employers thought that Pacific workers' family and community commitments were a driver. A design company thought the main drivers were "no qualifications and responsibility of taking care of extended family who are sick, dependent or at risk". A manufacturing company had a similar response, noting a link between family and community commitments and the lack of qualifications:

> Skill, communication – language, hesitancy to speak up – generational underrepresentation, young person commitment to church/family often precludes tertiary education – we find many scholarship students bow out in their first year.)

A recruitment firm we spoke with told us that Pacific workers sometimes did not want to change roles, even for pay increases:

> They get 'comfortable'. They like what they are doing [and can be] very risk averse." They noted this could reflect the comfort of working with friends."

One employer saw this differently, reflecting a humility on the part of Pacific workers, which could be addressed by support and upskilling. They identified the drivers as the "negotiating skills of our Pasifika people – them needing to know their value, understanding the market that they are in"

Some employers, however, pointed to institutional barriers as well as what workers did. A public service employer said:

> Many factors of which some include inability to modify hiring matrixes to recognise the value-add skills and attributes Pacific people bring to the workforce. Lack of diversity on panels and within recruitment business groups. Often underselling of Pacific when applying for roles and self non-recognition of points of difference. Inability to sell one's abilities often sees Pacific young people starting at lower remuneration bands or roles that they are overqualified for. Reluctance of Pacific to often negotiate pay bands. Family commitments particularly with older family members.

Another organisation identified the lack of visibility of pay information when job opportunities are available. They commented that "Pacific people when entering employment opportunities do not have the tools to be able to negotiate and are usually placed at the lower scale".

The importance of collective agreements

In construction and manufacturing, employers generally noted that Pacific workers are concentrated in the waged jobs as opposed to the salaried jobs. They often expressed the view that it would be less likely for Pacific workers to experience pay disparities in waged work as these pay scales are negotiated through collective agreements, whether or not the employee is a member of the union.

One manufacturing employer noted that the proportion of their waged workforce that was covered by a collective agreement was relatively low and that, in their view, further unionisation would assist in closing pay gaps:

> We don't have very many under a collective. Our proportion of a collective agreement is probably only 2 or 3 percent. So if you're asking me, it's a double-edge sword. Again, because we have a really good relationship with team members and our production managers, they trust us a lot to kind of work through that process, but I actually think if you're talking about what would you do in this sector to kind of push overall, then maybe you would give – and I can't even believe it's coming out of my mouth, I come from Australia where unions are really strong and powerful and quite militant – it's weird to me that that is not happening here.

This employer identified the need for workers in waged work to have further support when bargaining with them:

> We'll just be perfectly blunt about it and we kind of get stuff, but sometimes I want to shake them and say, "These guys need a little bit of someone in their corner." They're not strong. It's really strange, I find it strange, and it's things like just giving people help when we bargain.

Another manufacturing employer described a contrasting situation in which almost 90 percent of their waged workers were protected through a collective agreement, which was described by the employer as very generous. They experience very strong retention rates, which they attribute to the strong collective agreement.

While they believed their collective agreement to be very strong and the reason for their strong retention rates, the same manufacturing employer observed that, in their company, white men are disproportionately represented in the upper echelons and managerial roles and that, while they observed this to be changing slowly, they consider this to be fairly typical.

> We're no different from anyone else. You go in the doors at supply chain and you get to certain levels and its very white and very male. It's changing, but we have a long way to go.

One employer we spoke with had a different perspective on unionisation. They felt that the loyalty Pacific workers felt to their union, which was in many cases intergenerational, may be a factor holding people back from advancing into salaried leadership positions:

> A lot of our Māori and Pasifika staff are part of unions. That's a bit of a legacy piece as well. And why that's important is because people are reluctant, because I spoke about that three generations example. If your whānau have been part of the union for three generations deep, it's very tough to break that shackle because you've always believed that you're waged and that supports your lifestyle and so the shift to a salaried role is perhaps quite a challenge. It's like what? It's quite different.

Lack of diversity in applicants for senior roles

One manufacturing employer attributes the lack of ethnic diversity in senior roles to a pipeline issue – that the candidates with the skill set and/or education and training required for such roles lacked diversity. This employer also believed that the lack of diversity in leadership roles within their company meant that there was also a shortage of role models, which in their view was critical to provide inspiration to gender and ethnically diverse employees to consider such roles a possibility for themselves:

> Those pipelines, that is coming through, if you can't see someone that looks a little like you, you've got no role models there, then we need that inspiration as well. We're certainly not different.

In health, Pacific workers tend to be in frontline specialist roles (as opposed to management) and also in lower paid roles such as care). One health organisation told us:

> Lower-level staff are all Māori/Pacific. We only have two or three at high level. It's really sad considering we serve a community with high Māori and Pacific numbers. Leaders need to be of the same understanding.

Employers perceived Pacific workers to be concentrated among those with low levels of qualifications, which is why they understand them to be in the lower-paid work in their organisations. To break in to the higher-paid roles, a tertiary degree is often required, while Pacific workers often gain their skills and knowledge on the job.

> People can't move up to management unless they get a degree. Pacific people are good with our hands. We learn by doing. System works, you need a piece of paper to tell you how to lay a pipe … How many Pacific families can afford to study and not work. Most can't. This is not a new problem. This has been happening for decades. Only a few Pacific people do well. 001 percent of Pacific people have a path to management.

A shortage of Pacific workers with specialist skill sets was often raised by employers. Particularly in health, employers reported competing for qualified Pacific staff for specialist roles. Employers noted that this put upward pressures on wages for Pacific specialist staff as individuals negotiated their salaries with the knowledge of the scarcity of their skill set.

> It will sound like I'm generalising, but it is coming from hands-on experience. If you're a Pacific nurse, you can actually command a really good premium rather than the opposite and our internal salaries very much reflect that. Because we have to pay top dollar to get the culturally competent experts within those fields to be able to deliver what they do, and they're just rare as hen's teeth, and so it's supply and demand and we have to pay to meet the demand.

Perspectives on Pacific workers feeling undervalued

Continuing the theme of specialist skills commanding a premium, employers' perspectives generally differed from those of Pacific workers concerning their value. Employers identified different drivers for what Pacific workers experienced as being undervalued. Some employers commented, for example, that it can be difficult to motivate Pacific workers to progress into more senior roles. One employer in the manufacturing industry said:

> [Pacific workers] will do the same job for 20 years and be really happy with that as well. And so, our challenge is to drive people into doing other things and putting their hand up and asking for something more … I think we do say, "Look, come across here and learn this new skill or come and do this." They just don't want to, and there's a high proportion here who like coming to work, and I think it's possibly coming to work and there's a comfortable level in working with the same people. So they form bonds. "I don't want to work somewhere that my mate's not working, and I like going to that part of factory floor because I can chat to my guys, and we listen to music and whatever." I think there's a little bit of that. It's not all, it's probably 30 percent of the guys are really resistant to it. A lot of them will do it if we ask nicely, but if it's not a permanent move into a high position, it usually comes back to where my comfort levels are, where my mates are where I like coming to work.

They also identified how some values can work against Pacific workers, singling out loyalty in particular. This could mean that workers were missing out on the opportunity to gain more-diverse experience and command higher wages:

> The problem is they don't move, and because they don't move, at the moment the way to get a big pay increase is to leave the company you're with and go somewhere else and go out onto the open market and compete with those immigration guys. Whilst the loyalty's really great for us it's actually not so great for them at the moment because they're not using their feet to move and get the big pay increases. I suspect this bubble's going to burst, a lot of these big wages. Especially in our sector at the moment, we're competing in a space where we're bringing people on as full-time permanent employees but we're competing in a market at the moment where we're competing with construction companies that are taking people on short-term contracts. They can pay $40 an hour, and all they'll do is, once the borders open, they'll just turn the contract off, and you're coming back in at 30 bucks. For us, we don't want to overinflate because you're a permanent employee, so we're trying to bring you on at a market rate, and it's really difficult. Our market data versus the reality of the employment sector and managing that and not overinflating our salary, because we know as soon as those borders open we'll get a whole lot of new workers in, and those construction companies will turn down their rates, but we'll be left with these high rates because we bring on permanent employees.

Encouraging people into leadership positions was identified as a particular challenge by one employer:

> Then there's the leadership skills. I think what we ask of our leaders potentially they may think I just don't want to be bothered with it. So for things like going through discipline processes or having a conversation about health and safety, that may turn a lot of people off and just think I just want to be a worker and talk to my peers, but I don't want to put my head up and do that. It is interesting, and because we do look at our pay matrices, and you do have to ask a question about why guys have been here 30 years. It's still relatively well paid. They're not at a 115 percent of the band or anything like that, but it tends to be that they just do the same role every day, and when you talk to them, "Do you want to do something else?" "No, quite happy." Now whether they just don't have the confidence to stand up and want to do it or not.

One employer did recognise the value that Pacific workers add to the workplace and noted that employers could do more to draw on their strengths and talents:

> Despite all of those things, the five Māori women and five Pasifika women and then the men that are having all of the flavours of Te Moana-Nui-a-Kiwa in my workplace – wow, they've got range, because they can come in to my workplaces and, you know, the rate at which they have to tone

police themselves or they have to assimilate into the existing cultures or the fact that, when they come in to my workplaces, they take off their identity and then assume other things, I don't see that as a weakness. I think actually my job as a leader is to create the conditions where they don't have to take off their identity at the door.

This person felt that employers did not want to acknowledge the ethnic disparities in their workplace:

> There is a team full of Māori and Pasifika workers in this building, meaning our corporate office, and you can tell people don't want to say it but they're like, what? Where? And I just will say our cleaners and you know there's just like – [name], you can't say that! But why do we feel comfortable with not talking about it?

Occupational segregation

For employers, pay disparities relating to occupational segregation are considered separate to issues of pay gaps by ethnicity for people in the same roles. One employer in the construction industry told us this was because the market placed different value on different types of work:

> It does come down to what is the nature of that particular workforce, so where are Pacific people sitting, what types of roles are they doing, because when we're comparing how we're paying different ethnicities, we want to be comparing apples with apples as well so I don't want to be comparing very different types of work because actually the reality is that the market pays different rates for different types of roles and actually if we're worried about representation as opposed to the gaps themselves then that's a different question.

Perspectives on discrimination and raising concerns

Most of the employers we spoke to did not explicitly speak about discrimination in the workplace. However, when they discussed potential solutions to the Pacific Pay Gap, some of these centred on recognising and taking steps to eliminate discriminatory practices, including in recruitment and progression.

One government agency employer talked about providing "education around bias and tools to mitigate it" . A Pacific construction company employer said that "teaching workers their rights would help, clear pathways for people to contact if the rights are breached". Other initiatives discussed included leadership development, graduate cohort support, role modelling, professional development and cultural competence training.

Several employers talked about collecting data by ethnicity and introducing monitoring as potential solutions. Most were not collecting ethnicity data routinely so were unable to say where there was a measurable gap or what might account for it. The significance of monitoring ethnic pay gaps through data collection and reporting was recognised by employers as an important first step in closing ethnic pay gaps:

> You need to bring to light – so I think the data reporting thing is actually really important because that actually starts the conversation and you have to have it at that really senior level to bring light to it and to kind of really have cultural change, and data is a helpful way to do that as well.

Some employers identified the issue raised by many workers of the under-recognition of Pacific talent. They noted the need for team leaders and managers to better recognise the different expression of leadership skills that might be expressed by members of different ethnic groups:

> Some of the attributes that are considered typically to be those you see in people to be promoted – so I guess it's challenging some of the maybe potentially not I'd say unconscious bias but thoughts about what makes a good leader for example.

One employer offered a way forward for recognising Pacific talent:

> I think you'd work on it at lots of levels. We run something in [company name] … which is a campaign that says difference is good and encourages people to talk about their difference and encourages people to talk about themselves, the bits of themselves that they don't often talk about. So I can imagine that's there's a lot of people who are potentially showing leadership in other situations, maybe in their churches, that may not be shared normally, but if we create an environment that people can talk about their differences then in a positive way – this is what I do and this is how I do it … You just have to work more on training managers to get to know their people better and try to work out what their real strengths are … I guess it's just improving the way because the processes sit there for people to go through these things, talk to employees, understand their potential but you've got to train them how to be better at them.

Complaints processes were not the focus of most of our engagements with employers. Most had complaints processes in place – the issue, rather, was in encouraging their use. One organisation did admit they did not yet have a policy for raising concerns but did note that people raised concerns about pay during their annual performance reviews.

Another employer said that, if their workers had concerns, they were "encouraged to speak to their line managers or HR if there was an issue. Some companies have an independent telephone number that can be accessed anonymously where unethical behaviours, suspected frauds, harassment and bullying and other problematic behaviour can be reported.

One organisation said that HR business partners sat with their departmental leads in different areas – the person we interviewed said:

> My hope would be that the person would feel comfortable raising it with their leader, then the leader had the confidence to speak with their leader, and their HR lead and working through it. Otherwise, another leader.

Pressures securing adequate funding

Pacific organisations, in particular, noted the pressures they face securing adequate funding to pay their staff on par with industry norms. In health, this is attributed to the more labour-intensive and holistic approach to delivering health and care services that are culturally appropriate along with the numerous overlapping problems a Pacific client may have (such as housing issues and food security). As the following employer working in the health sector explains, the current government funding models do not provide any additional money for cultural competency and the ability to successfully deliver services in a culturally appropriate way:

> It takes 12 months to get the average Pacific client well due to needing to build trust, relationships, break down cultural barriers. Takes three months to get average non-Pacific person well. But the funding for both services is the same.

Furthermore, smaller organisations are obliged to take on smaller-sized contracts that may require a high degree of overhead in order to meet the compliance requirements despite being of relatively low value:

> Small organisations have to pick up all contracts offered due to lack of funding but there is high compliance cost for each contract.

This issue was raised in relation to government funding for healthcare provision. It was also raised in relation to subcontracting of construction work:

> We need to be focusing on government procurement of contracts and the flow-on effects to subcontractors and their workers … [large construction company] – big capitalism companies – blue collar have to squeeze every dollar out of subcontractors who are Māori and Pasifika owned companies. Māori and Pacific companies have Māori and Pasifika workers.

The impact of immigration and visa requirements

One employer explained that the pay gaps experienced by Pacific workers are likely associated with their migration history:

> The fact that I would say that people that have immigrated to New Zealand often would be usually represented in lower pay and I guess … that's representative of some of the Pacific people.

Another employer linked pay discrepancies to visa requirements associated with pay levels:

> We're noticing a disparity coming through, and I wouldn't be the only employer that has been driven at the moment by our visa holders. We have an immigration mandate to pay a kind of average minimum wage, so at the moment it's $27 an hour. So we're starting to get this disparity between a Filipino worker, an Indian worker and our homegrown workers whether you're Pasifika, New Zealand Māori, whatever, just because there's a mandate coming through from the government, that is the base salary. And so that is driving this kind of two-tiered pay thing.

The perception that the driving forces leading to ethnic inequities within companies were market forces, as well as issues with the education and training of potential candidates, meant that many companies had not identified many measures that they could take as employers to help close the Pacific Pay Gap.

Another factor identified by employers was a lack of understanding of the extent of ethnic pay gaps within their company and the potential factors contributing to these.

Lack of alignment on pay equity

Finally, employers noted that the level of commitment of senior management and at the board level to investing energy and resources into understanding ethnic pay gaps within their company and identifying and implementing measures to help close them was variable.

For example, one larger construction employer noted that their board was impatient with them to progress matters of equity, including closing ethnic pay gaps. In this case, the CEO believed that, while the gender data was now available and the next steps for closing gender gaps were clear, they did not yet have the necessary data to understand ethnic pay gaps within their company. In their view, they still required further data on ethnic pay gaps to understand the depth and breadth of the issue before they were ready to plan how to address any disparities. In other cases, senior management were open to taking action to address ethnic pay gaps but did not necessarily perceive the matter to be a priority for their board.

8. Proposed visions and solutions

Totō hau tōkiga nei, aua na tupulaga e fāi mai –
Plant a seed today, for the future generations.

Tokelauan Proverb

While many of the Pacific workers we engaged with often spoke of experiencing discrimination or feeling devalued in the workplace, they also had a clear vision for how they wanted their workplaces to be. To support this vision, they proposed several ideas for solutions to improve their experience at work and, by extension, to close the Pacific Pay Gap.

In this section, we summarise the vision and solutions shared with us by Pacific workers. We also include a section on what employers we spoke with thought would work to help close the Pacific Pay Gap.

PPG
Pacific Pay Gap Inquiry

Pacific workers' vision for the workplace

Summarising what we heard from the people with whom we engaged, Pacific workers want their workplaces to have a person-centred approach focusing on all the values and qualities that a person brings and to create a safe and inclusive workplace. As one manufacturing worker told us, "[I want] a supportive and transparent work culture that cares for its people and has that culture consistently across the organisation" (S208).

In practice, this looks like:

- remunerating Pacific workers fairly
- respecting and valuing Pacific workers
- having a good work/life balance
- providing clear progression pathways
- creating a supportive and welcoming workplace environment
- having clear health and safety policies and practices.

Remunerating Pacific workers fairly

Pacific workers wanted their workplace to provide fair remuneration for the work they do. They believe that this remuneration needs to be applied equally no matter what a person's ethnicity or gender.

One manufacturing worker said they wanted "fair pay" (SO23), while a construction worker told us they wanted a workplace that "pays me what I'm worth" (S029). A healthcare worker echoed this call and added her desire for "being rewarded for the effort you've made through recognition and wage progression" (S142).

Respecting and valuing Pacific workers

Pacific workers wanted their workplace to value and respect what they have to offer. This can be done by recognising and embracing Pacific values and cultural norms. Pacific peoples believe this will create a safe and inclusive workplace where they can thrive and contribute as their whole selves.

One of the healthcare workers we spoke with told us she wanted to be:

> ... truly valued and recognised for the skill set and cultural knowledge you bring that has allowed the service to work towards bridging current gaps, enhancing its service delivery [and] ensuring the needs of Pacific peoples are addressed appropriately. (S074)

Another healthcare worker agreed, adding that it is important:

> A workplace ... acknowledges my culture and has some awareness about it. A workplace that welcomes flexible working arrangements to suit my role as mum, daughter, niece and all the other roles I play outside the workspace. (S091)

One of the manufacturing workers we interviewed said they wanted "good communication, respect for all cultures and beliefs and being understanding and kindness" (S032). A construction worker agreed:

> Understanding the values and beliefs we as Pasifika and Māori stand on. Ensuring that this weaves into the work policies and procedures. (S021)

Having a good work/life balance

Pacific workers wanted their workplaces to be flexible and to provide them with a good work/life balance. This is important to Pacific workers because it means they can support their families and communities while still meeting their employers' expectations. One of the healthcare workers we spoke with told us what she wanted:

> A workplace that is supportive of balance. One that allows for uninterrupted time with family – more than the minimum leave benefits, a wage that allows for families to thrive rather than just survive, a workload that does not impact on/take away from one's personal life. (S077)

Providing clear progression pathways

Pacific workers wanted transparent progression pathways that provide clear steps towards growth, development and promotion. They saw this as inclusive of the opportunity to access training to support their progression.

Across our three focus industries, we were told, people wanted "access to different trainings and education, progression into different roles" (S056), "equal opportunities" (S203) and that "a good workplace should provide sense and opportunities for growth and development" (S206).

Creating a supportive and welcoming workplace environment

Pacific workers wanted a supportive workplace environment with supportive communities and managers. One construction worker told us "I expect it to be an environment where I can be trusted and also trust my peers" (S206).

A significant part of this desire was the importance of having clear communication from managers. A healthcare worker noted how important it is "when the manager communicates and listens to their staff" (S155). A manufacturing worker affirmed their desire for "management that are trustworthy and fair as well as supportive especially during difficult times" (S016).

Having clear health and safety policies and practices

Pacific workers wanted workplaces that are "safe" (S189) and have "good health and safety protocols" (S150) that are clearly communicated. This would support Pacific workers to speak up when they need to. One manufacturing worker identified that they wanted a workplace "where a person can raise their concerns and be heard and respected" (S004).

Pacific workers' ideas for eliminating the Pacific Pay Gap

To achieve their vision outlined above and to eliminate the Pacific Pay Gap, Pacific workers shared their ideas for change with us. They identified that change needed to be multi-dimensional and include legislation, policies and practices at the governmental, employer, union and employee levels.

These included:

- mentoring and sponsorship
- Pacific peoples in leadership
- pay transparency, pay scales and progression pathways
- building social capital through education and networking
- access to childcare and support for women
- collective action
- government/structural solutions
- employers and companies.

Mentoring and sponsorship

Pacific peoples identified the importance of mentoring and/or sponsorship in both expanding their horizons and advancing in the workplace. They saw both of these things as a key part of addressing the Pacific Pay Gap. A construction worker spoke about the importance of:

> … having more knowledge in the job, don't just be a worker. Knowing someone who's doing well as a mentor, a lot of young Polys just want to follow the others into less-paying jobs. (S189).

One of the key informants we spoke with was an experienced mentor who had seen the benefits of the relationship for her mentees:

> I've mentored a lot. I always say, "What is it? What can you honestly do?" We work strategies. For me, that is more progressive in my view. It's very practical. It's at that human level. Things happen up here. You know how it is to raise a child: you need a village to raise a child. That's my philosophy as well. (T003)

Pacific peoples in leadership

Pacific peoples identified that having Pacific peoples in leadership would contribute to closing the Pacific Pay Gap. They felt that it would do so as Pacific leaders in the workplace could advocate for Pacific peoples and provide leadership in creating culturally supportive workspaces. One construction worker said:

> We need more Pasifika businesses. Support and invest in Pacific businesses. Employ and upskill Pacific brothers and sisters. I work in construction and consulting – we need more of us because the impact and influence by the few of us I know is great! (S206)

One of the key informants we spoke with identified the importance of taking action to ensure that people with the right capability are on panels to recruit leaders:

> When they're recruiting, they've got to go wider. We've pushed myself and another board member to be part of those interviewing panels for those critical positions at the leadership level to make sure that I sit here. (T003)

However, there were also people who identified that Pacific peoples in leadership were not always useful.

> Sometimes our Pacific providers bring in their own families and have them in leadership, management roles with no knowledge and experience. And people with no connection to management still do hard yards. (S070)

Rather, it was important for people to be promoted into leadership who had both the skills and experience for the job and the cultural competency to make it an inclusive workplace for Pacific workers.

Pay transparency, pay scales and progression pathways

Pacific workers identified pay transparency, pay scales and progression pathways as part of the solution for the Pacific Pay Gap. While these are distinct solutions, they also feed in to each other and were often spoken about as a single solution. A construction worker we spoke with was very clear that the place to start was "with transparency over pay" (S211). One of the healthcare workers expanded on this starting point to include transparency about how to progress as well:

> I think what would help is providing a clear list of the pay bands and scale and also providing what things can the individual do to increase their pay to a higher salary etc. Often it is just set to what the hiring manager thinks as well, so I think there needs to be some external oversight in the process as well to ensure there's an impartial voice to ensure a fair process … I think that often there should be clearly advertised thresholds because I've found that, often in a lot of jobs, employers remain coy about revealing their salary ranges when it should be widely publicised – for example, when they're advertising. Some companies advise the range, but most don't. I've often found that health have clear salary banding and are able to supply this information when asked. (S091)

Building social capital through education and networking

Pacific workers identified that there needs to be an intentional approach to building Pacific peoples' social capital through education and networking. One of the construction workers we spoke with explained the importance of ongoing education and support:

> I think if we can help our people to support training them and get them qualified and continued support in their field that they are willing to do, eg construction, I think we can help this country to achieve its goals, fast track as well, because a lot of us love to work but we get annoyed if we don't know how to do the work (S192).

Training and upskilling on one's job was complemented by the desire for training in employment rights. People identified it as important that such training and education was led by Pacific peoples. One healthcare worker emphasised this:

> Pacific people to travel all over the country to workplaces to explain their rights to people in their languages to understand how to negotiate their pay, to understand the terms of their contracts. (S108)

Access to childcare and support for women

Speaking to the intersection of ethnicity and gender for Pacific workers who were women, one healthcare worker told us that employers need to "take into consideration that we work for our families/communities" (S063). Another noted that "daycare fees are expensive" (S148). In light of this, one Pacific healthcare worker specifically identified the need for "increased access to childcare [and the need to] expand family and medical leave" (S055).

Another wanted to see a wide range of support for Pacific women, particularly in Pacific organisations:

> For Pacific-led social enterprise or Pacific organisations/workforce especially we need to

> secure safety of women, strengthen women, invest in women. Ensure they are treated fairly and equally to males. Break the bias and misogynistic/patriarchal systems set up to harm them and future generations because that is the realistic impact of paying them and treating them lesser than. More action, visibility and advocacy for Pacific women. Period. (S098)

Collective action

Pacific peoples recognised that collective action had an indispensable part to play in eliminating the Pacific Pay Gap – whether this was through formal collectives like unions or through workers organising informally. One of the manufacturing workers we spoke with emphasised their desire "for our Pacific people to stand up and own their rights by standing and speaking up together" (S020).

Government/structural solutions

While Pacific workers emphasised the need for collective action, they also identified the role that government and wider social structures had to play in eliminating the Pacific Pay Gap. One healthcare worker noted the importance of "legislation changes that are created by Pacific people" (S101). Among these ideas were broad solutions, including the elimination of racism.

One of the key informants we spoke with specifically identified the need for monitoring:

> The thing about making equity voluntary is that no-one wants to know, no-one looks, and if they find it, you might still not get remediation unless you require reporting on that on a regular basis. So all equity if you want action needs to be compulsory; you need to monitor what you've got and then require organisations to improve their data. (T003)

Another key informant from the financial sector identified the importance of paying the living wage. They recommended:

> … raising the minimum wage. That is so important and would impact so many Pacific peoples. The living wage as well. I recommend the actual living wage. (T012)

Among this person's other recommendations were introducing a capital gains tax and incentivising employers to improve the health and wellbeing of their employees.

Employers and companies

Pacific peoples identified the role of employers and companies as a key driver in addressing the Pacific Pay Gap. This included understanding the importance of diversity in the workplace, as one healthcare worker identified:

> Can't do anything until the employer changes their judgement towards a person's skin colour. Seen a lot of that in my workplace as well. (S112)

By contrast, a construction worker shared what they thought was needed:

> My very first manager was fair and honest. He also promoted people in our team based on their skills and work ethic. He made it clear to people why so there was no friction in the team. It made everyone want to reach their own goals. (S207)

One of the stories we heard in our engagement illustrated the importance of really knowing about the situations your employees are in and creating a safe environment where they can raise their concerns:

> A case came to me in the first lockdown … that our own staff member was homeless but he didn't want to tell the truth until he hit the rock bottom. Then he called me for help. He just called me to talk to me and I said, "Where are you now?" and he said, "Oh, I don't know where to go because my wife …" – they separated, kids – and then he has been homeless for two weeks. And we got a housing contract. We gotta housing entity as well, but according to the policy, our own staff are not entitled are not allowed in order to stay in our own whare, and I said that's, that's wrong. Well, how are we going to look after other people? (T014)

Other people with whom we engaged emphasised the importance of building cultural competency within organisations – importantly, this needed to be led by Pacific peoples themselves:

> For us, that cultural competency is missing from a lot of organisations, and it's not just organisations who are employing our largest Pacific workforces. I think it's right across the board. I know that there is work being done around that, but I think definitely that cultural competency or just having it ingrained in their organisational mission is really important. (T039)

Employers' perspectives on eliminating the Pacific Pay Gap

While employers that we engaged with shared their ideas for improving the employment situation for Pacific workers, overall, very few employers had taken any concrete steps to attempt to address ethnic pay gaps – and the Pacific Pay Gap, in particular – within their organisation. One employer told us:

> I guess what we try to do is what we consider to be fair and equal policies around how we do pay. I guess I haven't gone through all the different kinds of gaps that there could be so I guess the answer to that is no, we haven't.

The following is a list of solutions that were identified through both the surveys and interviews with employers. Some of these interventions had not been applied to ethnic pay gaps but were in place to address gender pay gaps. Not all were solutions that employers could implement alone – some required government intervention. These solutions included:

- pay rates, pay bands and pay transparency
- teaching workers about their rights
- opportunities for people to advance
- providing training and professional development opportunities
- monitoring and equity targets
- Pacific business development.

Pay rates, pay bands and pay transparency

Some employers noted the importance of raising the minimum wage – or, in some cases, paying the living wage – to closing the Pacific Pay Gap. One example of good practice we heard in this area was one employer that ensured none of its employees were on less than $60,000 per year. Another example was a manufacturing company that had "robust" salary and wage banding in place and partner[ed] with Strategic Pay to annually review market data.

Several employers emphasised the importance of needing to be deliberate in the interventions they took to reduce pay gaps. One construction company spoke about the importance of reaching out to Pacific communities and recruiting intentionally:

> Managers need to get out in front of the right communities to help school people to make those decisions. If I went out to churches, local churches – I talked about the industry as a career option so they can go to university and get qualified or they can go straight into the industry and get qualified – and we are doing more of that. Tell them about what opportunities there are for you – engineering, apprenticeship, etc.

Another employer agreed, recognising that the attitude of the company was important:

> These things are quite big endeavours but I think we would be willing to look at what we can do and how we can do it better. We do genuinely want our workforce to do well, all of them. I've never really delved down to see where our representation is if we have got barriers. I actually don't know the answer to the questions.

A manufacturing organisation emphasised the importance of them "as employers being transparent with the banding of positions, understanding that some are not comfortable in the negotiation of pay, ensuring that we are equitable employers".

Teaching workers about their rights

One key way employers identified that they could address the Pacific Pay Gap is to empower workers regarding their employment rights. Commenting on the lack of knowledge in this area, one employer said "teaching workers their rights would help – clear pathways for people to contact if the rights are breached".

An important part of educating workers about their employment rights was identifying the pathways available if they had a concern such as low pay or unsafe work practices. One employer identified the need for education not only on what to do when things go wrong but also when they go right. What they meant by this was to make pathways to progression transparent and clear so that workers understand what steps they need to take to advance and what opportunities exist in their sector. They called for:

> … a resource that communicates and teaches the pathways and opportunities available if things go right, ie benchmarking the different industries and listing the different roles, how much people get paid in those roles, what is required by the market/employers to get into those roles. This could be something like you need to do this course and have these credentials and these soft/hard skills and these tools etc. If workers know what the standard is for x then they know what needs to be done to measure up. Good way to communicate incentives and get workers to be proactive.

Opportunities for people to advance

Several employers identified the need to bring Pacific peoples into head contractor or leadership roles. They thought this would require specific opportunities and support to be placed around employees. One construction company told us:

> I do think the biggest thing you can do is around opportunities for people to advance … that is about the processes that you give opportunities to people and support them. It's also people believing that those opportunities are for them, and that can be a challenge when there aren't a lot of role models – "those jobs aren't for us" perspectives, just wasn't on their radar, that's how it was for Māori – hearing from people who have overcome that themselves.

In one organisation, we spoke with a Pacific HR manager who saw the value in having more Pacific leaders in key roles:

> I think having myself [a Pasifika woman] as the HR Manager of the whole organisation helps in this. Having an understanding of the impacts that face not only our Pasifika peoples but also all of our staff in a minority. Due to our branches predominately in the South Island, we do lack some diversity due to the regions that our branches are in. In saying that, we are slowly moving into the North Island and have noted the shift in diversity with our staff.

A key part of providing opportunities for advancement for Pacific workers – and ensuring they are taken up – is by doing them in a culturally informed way that sensitively navigates the responsibilities that Pacific workers have and the values that may make them reluctant to put themselves forward. One employer commented on this:

> There's potentially something you can do for these groups to, I guess, help them navigate some of the ways these things are raised. How do you raise something like this, culturally, that doesn't always potentially sit well with people and maybe some of the attributes that are considered typically to be those you see in people to be promoted. So I guess it's challenging … thoughts about what makes a good leader for example … It's about valuing the different ways that people do things.

Providing training and professional development opportunities

Most employers noted the importance of education, training and continuing development opportunities. One manufacturing employer summarised the need for "education, upskilling, language and literacy, at-work education to reduce out-of-work time pressures, wrap-around educational support".

Several employers offered training. One construction company helped pay for the apprenticeship programmes (once the 'fees free' policy expires) and any industry qualifications needed. They told us why this was important:

> It builds loyalty. It also provides an opportunity for our guys to get some qualifications and move up our pay structure over a period of time, and they can see where they're going. We're doing that.

The same company had piloted a numeracy and literacy programme for a plant that was closing to help support workers into other jobs. They wanted to bring these programmes in for permanent staff along with training in financial planning and tax advice. Training should be at the employer's cost.

One employer talked about targeting leadership development to specific communities, noting they had a programme in place to address this. Another identified the importance of graduate programmes:

> Also long-term strategies such as the Māori and Pacific graduate programme will increase the Pacific Pay Gap in the short term as graduates are some of our lower-paying roles, however will have long-term benefit.

Another spoke of the importance of employee-led networks, including the need for support for them from the employer. One healthcare employer described their network as an equity team that was open to staff who worked in other areas too. This group had a say in the overall organisation's focus and on any initiatives that were being developed. They noted "it's absolutely supported in terms of, you know, they have carte blanche to take as much time and everything to do [this work]".

A recruiting firm we spoke with acknowledged the importance of providing support in a culturally informed and appropriate way, including through networking. They commented on the need for:

> … an internal network for Pacific people that we supported and encouraged – as a recruiter, I could tell people about that – helping people to unlock their own capability and experiences to understand what it is they can do to get to the next step. Very much family community focused – if we could create that sort of feeling for our employees.

The need for training and education was also identified in the pre-employment space. One employer spoke about the outreach they did – at the moment, focused more on Māori – and suggested this could be an avenue to explore further:

> We've probably focused a little bit more on Māori employees, and we do have specific programmes that recruit Māori employees. But we also run a number of programmes that look to recruit people who might have been a bit challenged, so we run a number of programmes, many supported by the [Ministry of Social Development], to do pre-employment training and employ people in … A lot of those people probably in those programmes would be both Māori and Pasifika … We run a pre-employment programme and we contract them following that as a way to support people into employment … We don't necessarily tag them as programmes that are designed to bring in diverse groups, but we know that they do, so we kind of loosely consider it part of our diversity approach … We can do more in that space … the same for some Pasifika people [but] we won't specifically target an ethnic group.

Monitoring and equity targets

One company talked about the importance of monitoring pay rates, noting that they were already doing this with gender:

> If we find significant gaps, we look to adjust it … I monitor it on our annual review cycle to make sure that we aren't shifting remuneration less for one gender or another.

Several representatives from the organisations we spoke with expressed openness to setting targets to achieve ethnic parity in their organisation in a similar way to how gender pay parity has been addressed through targets:

> Absolutely we would potentially look at setting a target. We do that with gender pay parity so I think it would be conceivable that we would look at ethnicity gaps as well.

Other employers indicated that ethnic pay gaps had not been something they had been planning to address. However, they suggested that the conversations initiated by the Pacific Pay Gap Inquiry did play a role in putting this issue on the radar:

> From a representation perspective, yes, but … we don't have in our plan at the moment to look at ethnicity pay gaps … but that's not to say we wouldn't because I think having these types of conversations starts the thinking and evolves, you know, where you're at in terms of what we actually want to look at in an organisation, so while it's not in the plan at the moment, that's not to say it wouldn't change.

One employer noted the importance of presenting any data in an accessible way, commenting "if this data can be captured and presented in a way that's simple to understand and easy to disperse/find then I think it could help"

Pacific business development

There was a lot of discussion about Pacific business development, particularly from Pacific businesses. One employer commented:

> Māori and Pacific businesses care about people. They put people before profit. Other businesses just care about getting the job done and the budget.

A Pacific construction company agreed, saying that more work needed to flow towards Pacific businesses because they are the ones "paving the way for our people … the ones taking all the risk and creating jobs, social impact, job training, circular economy".

Pacific businesses face challenges, however, including challenges raising capital. A Pacific construction company told us about their experience:

> It's hard for Islanders who run businesses, when English is not your first language or you're not that familiar with the Kiwi way of doing business, to move themselves up that level closer to the client. But honestly, it comes back to education … if you can show them the process of cutting out the middleman and going straight to the client and teach them the soft skills around how to get that done, communication, all those kind of things, then they'll be able to get those as well and then it's just a matter of getting someone to help you price your work for you, like a quantity survey. The more people you deal with, the less margin you have so that's what I believe … people try to make it sound really complicated … but if you can put together a professional email and send it out … I reckon more Pacific Islanders would find more work.

Employers sought support for smaller Pacific businesses in particular, including assistance with compliance matters and support to build clientele and bid for projects. One construction company commented on the potential benefits of receiving this support:

> There's benefits that can come from more Islanders in business. There is a big Island workforce out there, and if they were educated properly and taught how to manage workers properly, do business right, be fair and all that kind of stuff, then it might change. You might get some proper benefits from it like having more Pacific Island business owners and being able to better look after staff. I think it's a cultural thing and education thing as well.

One potential area that could work well to develop Pacific businesses was social procurement. This is when government agencies focus on increasing access for Māori, Pacific and regional businesses and social enterprises in their procurement processes. Removing barriers to support Pacific businesses, which are often small and find it difficult to compete with larger, better-resourced organisations, to tender for these contracting opportunities was seen as a welcome development.

Two of the Pacific companies we spoke with had benefited from social procurement policies and advocated for them as helpful to advance Pacific businesses. In their view, such policies not only benefited the businesses but also their Pacific workers. We note here, however, that some of the Pacific workers we spoke with did not always agree that Pacific businesses were inherently better employers.

A non-Pacific construction company also commented that social procurement policies had changed how they operate. Such policies had included specific social outcomes targets – for example, a requirement to create apprenticeships. This company felt such requirements built into contracts do make a difference.

Pacific business leaders also identified the importance of joining chambers of commerce and industry professional bodies or leadership groups. Participation in these bodies helps ensure that there is Pacific representation at any decision-making table.


VICTORIOUS

9. Conclusion

He poʻi na kai uli, kai koʻo, ʻaʻohe hina pūkoʻa – Though the sea is deep and rough, the coral rock remains standing.

Hawaiian Proverb

We launched our Inquiry knowing there was a persistent and significant pay gap for Pacific workers. Listening to the stories and experiences that Pacific workers shared with us brought to life the reality underpinning those statistics and emphasised that Pacific workers' rights are not being realised.

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Pacific workers' rights are not being realised

Our overarching view based on what we heard and the research we did is that the rights of Pacific workers are not being realised in Aotearoa New Zealand. Among these are such fundamental rights as the right to be free from discrimination, the right to an adequate standard of living, the right to just and favourable conditions of work and the right to equal pay for equal work.

This is simply unacceptable.

The failure to realise these rights for Pacific workers in Aotearoa New Zealand is systemic and long-standing – and has been recognised by international human rights committees. Several of these committees – including the Committee on Economic, Social and Cultural Rights and the Committee on the Elimination of Discrimination against Women – have recommended that the Government implement measures to address such issues as the lack of Pacific representation in governance and senior leadership roles, high unemployment relative to other ethnic groups, lack of employment and training opportunities and entrenched and intergenerational poverty, including for those in employment. All of these issues and more were raised by Pacific workers during the Inquiry.

As outlined in the introduction to this report, we support the Human Rights Committees' recommendations for action and urge the Government to strengthen legislative protections, monitor and report on pay gaps and set targets to close the pay gap over time. Our recommendations, which are outlined in the section below, set out in more detail the steps we think should be taken to not only close the ethnic and gender pay gap but also to realise the human rights of Pacific workers.

Such action is important to address the wider social and economic inequities we have outlined in section 4 on understanding pay gaps and which have been examined further in the empirical analysis of ethnic pay gaps that was commissioned as part of this Inquiry[57]. There are very real consequences if the Government – in collaboration with employers, unions and Pacific workers – fails to act. Several Pacific workers we spoke with are already struggling to make ends meet – if urgent action is not taken, existing ethnic and gender inequities will widen and the wellbeing of Pacific families and communities will suffer.

Such an outcome would not only negatively affect Pacific communities, it would also have a wider impact on social and economic wellbeing in Aotearoa New Zealand. Research has shown that we all benefit when wealth and income are distributed more equally in a society.[58]

In the rest of this conclusion, we draw out three key strands that emerged in our Inquiry, before setting out our recommendations for action in the next section. They three key strands are:

- Pacific workers' contribution to the workplace is undervalued
- the people with whom we engaged had many ideas for change
- the importance of building relationships in the workplace.

[57] Cochrane and Pacheco, *Empirical Analysis of Pacific, Māori and Ethnic Pay Gaps in New Zealand.*

[58] Wilkinson, Richard, and Kate Pickett. *The Spirit Level: Why Equality is Better for Everyone*. London: Penguin, 2010; Rashbrooke, Max, ed. *Inequality: A New Zealand Crisis*. Wellington: Bridget Williams Books, 2013.

Pacific workers' contribution to the workplace is undervalued

During our Inquiry, we heard that Pacific workers' talent, cultural skills, knowledge and experience are not recognised in the workplace, or where they are, they are not remunerated for them. Their labour is undervalued and taken for granted, and they often experience insecure employment. Some Pacific workers struggle to make ends meet, having been paid little more than minimum wage despite working for many years for a company. Some experienced negative health impacts as a result of the physically demanding work that they did. Others were not able to participate in work as much as they wanted to due to a lack of support such as childcare or adequate parental leave arrangements. We heard of experiences of discrimination and racism at each stage of the employment journey. We heard so many of these stories that they overwhelmed the positive stories we heard.

We heard from employers. Many did not routinely monitor ethnic pay gaps in their organisations, with several commenting on the difficulty of collecting ethnicity data in order to do this. They shared with us what they saw as the drivers of the Pacific Pay Gap: a combination of institutional barriers and personal characteristics. Where Pacific workers said that their employers could value their skills and experience more, employers felt that some values cherished by Pacific workers – loyalty, for example – might be holding them back. Employers did not often talk explicitly about discrimination, although their proposed solutions implicitly acknowledged that it happened. Some employers acknowledged that Pacific workers could benefit from joining a union or taking other collective action.

We heard from unions who spoke about the importance of collective action for upholding Pacific workers' rights. Those Pacific workers who belonged to a union generally spoke highly of the support they received, particularly when raising a complaint. A small minority noted, however, that they believed union membership had led to discriminatory treatment. Unions told us that addressing the Pacific Pay Gap was part of their wider work on pay equity, although some acknowledged that this work can be blind to the differences experienced by different ethnic groups.

The people with whom we engaged had many ideas for change

The people with whom we engaged had plenty of ideas for change. Pacific workers wanted to work in organisations that cared about them, created a supportive environment and valued their contribution. More specifically, this meant receiving fair pay for the work they did, ensuring a good work/life balance, providing clear progression pathways and having clear health and safety policies and practices.

The solutions that Pacific workers put forward to achieve this vision required action on the part of employers. They wanted employers to be more transparent about pay, to provide mentoring and sponsorship, to support Pacific workers into leadership roles and to become more culturally competent. They wanted the Government to require employers to monitor ethnic and gender pay gaps and to pay the living wage.

Employers emphasised the importance of collective action and educating workers about their rights. They also saw providing opportunities for training and professional advancement as critical. Like Pacific workers, they looked to structural solutions such as monitoring, equity targets and pay transparency. For the Pacific employers we spoke with, Pacific business development was identified as a key priority.

Unions spoke about their continued campaigning for pay equity for all workers. They acknowledged the importance of ensuring that ethnicity was part of this work. They also emphasised the value of unionisation for promoting and protecting Pacific workers' employment rights.

The importance of building positive workplace relationships

Employment is a relationship that is underpinned by employment legislation that recognises the rights and responsibilities of both workers and employers. Research has shown that employers and Pacific workers want to build better relationships with each other. It has also identified that both groups think stronger relationships would contribute to addressing inequities in the workplace.

This is particularly important for Pacific workers for whom relationships are culturally central. Research shows that Pacific workers thrive when they are managed by people who understand their culture and background. This contributes to creating a shared workplace culture where they are more likely to feel comfortable taking on different types of work and putting themselves forward for promotion.

There has been some research to support better relationships in the workplace between Pacific workers and their employers or leaders. Research by the Equal Employment Opportunities Trust found that Pacific employees require stronger connection with their managers in order to feel at ease when communicating with them.[59] On the other hand, while employers may be interested in ways to bridge the cultural disconnect, they can be unsure of how to do this.[60]

Engaging with their local Pacific communities is one way that managers can build stronger relationships with Pacific communities and come to understand that Pacific employees often have multiple important roles outside of their employment within their local communities. These community interactions can help an employer to create a workplace that enables Pacific peoples to thrive.[61] Taking a strengths-based approach like this will benefit both workers and employers – as one diversity and inclusion lead said to us, "these people have got range, these people are incredible!"

Drawing on the proposed solutions we heard from Pacific workers, unions and employers – as well as what we have learned through research – we think there are several changes that can be made to support better employment relationships that help to eliminate the Pacific Pay Gap. More importantly, these changes will help advance economic, social and cultural rights for Pacific workers, Pacific families, businesses, the public service, economy and the wider Pacific region.

These changes can be made at the governmental, employer, union and worker levels. We outline our recommendations for what we think should happen now in the next section.

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[59] Equal Employment Opportunities Trust. *Specifically Pacific: Educating Young Pacific Workers*. Auckland: Equal Employment Opportunities Trust, 2011, 32. https://www.mpp.govt.nz/assets/Reports/Specifically-Pacific-Engaging-Young-Pacific-Workers-Report.pdf.

[60] The Southern Initiative, Ministry of Business, Innovation & Employment, and Auckland Co-design Lab. Pacific *Peoples' Workforce Challenge*. Auckland: The Southern Initiative, 2018, 10. https://static1.squarespace.com/static/5cf74c8f2829e20001db724f/t/5d0dc61017e3300001d3aa5e/1561183812123/Pacific+Peoples+Workforce+Challenge.pdf.

[61] Equal Employment Opportunities Trust, *Specifically Pacific*, 24; Auckland Co-design Lab. *The Attitude Gap Challenge: A South Auckland Employment and Skills Challenge*. Auckland: Auckland Co-design Lab, 2016, 45.

10. What should happen now?

Solesolevaki sa itakele ni duavata – Solidarity is the cornerstone of unity.

Fijian Proverb

Our recommendations, based on what we heard during the Inquiry and on available research, are focused primarily on legislative and institutional levers for change to eliminate the Pacific Pay Gap.

We have prioritised six key recommendations, which are set out in the section below.

Underneath the six key recommendations, we have set out in a table further recommended actions that Government, employers, unions and Pacific workers can take to close the Pacific Pay Gap and realise the human rights of Pacific workers.

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RECOMMENDATIONS FOR GOVERNMENT

1. **Urgently introduce pay transparency legislation.**

   Urgently introduce legislation requiring pay transparency. The pay transparency legislation should aim to eliminate Pacific, Māori and ethnic pay gaps as a key principle.

   Employers should be required to report annually on their pay gaps on an intersectional basis. This means doing it in a manner that reveals the differential gaps experienced by Pacific, Māori, ethnic minorities, disabled people and women. The reporting should be based on full renumeration of people within and across each level of their organisation. This information should be publicly available.

   In addition, employers should be required to prepare and report equity plans, in consultation with employees from equity-seeking groups, to address gender, ethnicity and disability pay gaps. The equity plans should include measurable targets to show how they will close pay gaps within a set timeframe.

2. **Establish a national pay equity taskforce to ensure Pacific, Māori and ethnic pay gaps are closed by 2042.**

   Resource the Ministry of Business, Innovation and Employment to establish and coordinate a collaborative taskforce (made up of Government, employer representatives, union representatives and Tangata Whenua representatives) to provide leadership and oversight on pay equity as the systems lead. The key functions of this taskforce should include, but not be limited to:

   - developing and communicating employment best-practice protocols, taking into account different-sized businesses.
   - developing and delivering resources for all workers on employment and related human rights in different community languages.
   - ensuring that reporting processes are followed by actionable, tailored and enforceable plans to address identified pay gaps.

3. **Implement the recommendations of the Tripartite Working Group on Better Protections for Contractors.**

   - This should include stronger legal protections for vulnerable workers who are on independent contracts and clearer legal definitions for employees and contractors with the aim of reducing the exploitation of vulnerable contractors.
   - Any amendments should include accessible enforcement mechanisms

4. **Ratify the International Labour Organization (ILO) 190 Violence and Harassment Convention (2019).**

   ILO 190 recognises the economic harm that can result from violence and harassment in the workplace, including gender-based violence and harassment.

   Insert the definition of violence and harassment in the ILO 190 into the Health and Safety at Work Act 2015, the Employment Relations Act 2000 and the Human Rights Act 1993 so that survivors can more easily access support, including compensation.

5. **Raise the minimum wage to the same level as the living wage to ensure that increases over time remain adequate to meet people's living costs. Ensure that, as the living wage increases, the minimum wage increases at the same rate.**

   The minimum wage should be raised to the living wage and pegged to it to ensure that increases to the minimum wage over time remain adequate to meet people's living costs.

6. **Amend the Equal Pay Act 1972 to expand prohibited grounds to also include ethnicity and disability.**

   The Equal Pay Act currently only provides for the removal of pay discrimination between men and women. We recommend amending the Equal Pay Act to expand the prohibited grounds of differentiation between rates of remuneration offered and afforded by employers from sex to also include ethnicity and disability as the first priority. Thereafter, gender identity and age should be prioritised for inclusion.

The taskforce, amendments and new legislation should be reviewed within five years. The review findings should be published to ensure that their objectives have been met.

Cross-sectoral actions for change

To further support our six key recommendations and to provide some guidance for government, employers, unions and Pacific workers in the absence of existing standard guidelines, we have set out a table of recommended actions.

We have grouped these actions into 18 themes, which are drawn from the findings in the main body of this report. Most of these actions do not depend on legislative change. Some of the actions include ensuring that existing legislative obligations are properly met or resourced.

#	THEME	GOVERNMENT	EMPLOYERS		PACIFIC WORKERS
1	Action on pay gaps	Collaborate with employers, unions and workers to produce good-practice guidance on how the Pacific Pay Gap can be closed. Invest in stronger compliance and enforcement of employment regulations. Resource Te Kawa Mataaho | Public Service Commission to extend its work to identify and eliminate pay inequity based on gender and ethnicity to include disability and age and to extend requirements to Crown entities, local government and education institutions.	Collect employee and contractor ethnicity data and monitor and report on pay gaps by gender and ethnicity. Make a plan to close any Pacific, Māori, ethnic and gender pay gaps and report annually on progress. Disclose the pay bands for jobs when advertised. Refrain from asking about previous salaries during the recruitment process and remove confidentiality clauses from employment agreements.	Prioritise and resource campaigns focused on closing ethnic and gender pay gaps. This includes raising awareness in and working with community groups such as churches, schools and clubs. Support Pacific workers and workers of other minority ethnicities to include claims regarding closing ethnic pay gaps prior to bargaining with employers. Make a standard claim in bargaining that employers implement pay transparency, collect ethnicity data and report on gender and ethnic pay gaps.	Consider getting involved in the campaign to close the Pacific Pay Gap – your voice has power! Participate in any available training about employment rights. Share what you know about employment issues, rights and conditions with your workmates, families and communities. Negotiate pay rates, collectively when possible.
2	Elimination of discrimination	Amend existing legislation or introduce a new Anti-Discrimination and Equal Employment Opportunities Act that requires employers to: • monitor and report to a government body on the intersectional pay gaps by gender and ethnicity of their workforces and develop follow-up equity plans to close the gaps over time • include both mean and median data on pay gaps in mandatory reporting • require employers to publish data on progression within the workplace by gender as well as ethnicity and the diversity of senior leadership • disclose the pay bands for jobs when advertised • be prevented from enquiring about previous salaries during the recruitment process • collect ethnicity data for their new and existing employees.	Review and improve recruitment and progression policies to ensure they mitigate against bias and discrimination such as by implementing a blind CV process, ensuring recruitment panels have diverse representation, rejecting non-diverse candidate lists internally and from third parties and recruitment agencies. Embed structures that ensure line managers deliver equitable and fair promotion outcomes for all employees and make progression routes explicit and well known. Develop and implement an equity strategy for the workplace. Fulfil existing legal obligations to reasonably accommodate Pacific workers with disabilities. Undertake organisation-wide unconscious bias training to understand the impact of unconscious bias and provide training and targeted interventions to eliminate it.	Prioritise encouraging employers to implement recruitment and progression policies that mitigate against bias and discrimination. Develop and implement anti-racism action plans covering all areas of union work, including organising, collective bargaining, public policy and activities as employers. Monitor ethnicity reporting and leave entitlements such as cultural and special leave. Help raise awareness of employment options and opportunities for Pacific disabled people.	Talk to your workmates, families and communities about what you earn and whether there are differences that do not seem fair. Consider starting or joining a Pacific staff network.

#	THEME	GOVERNMENT	EMPLOYERS		PACIFIC WORKERS
	Elimination of discrimination	Coordinate work on closing the Pacific Pay Gap with wider work on eliminating discrimination such as the National Action Plan Against Racism and the Pacific Wellbeing Strategy. Provide ethnic-specific disability funding and employment support. Partner with unions and community groups to raise awareness of employment options and opportunities for Pacific disabled people. Ensure that Pacific workers are supported through climate, seasonal and other transitions that can impact their income – for example, consistency in WINZ support for seasonal workers. Ensure that, whenever new employment legislation is developed and implemented, it engages widely with Pacific and other minority communities and prioritises positive outcomes for them. This includes but is not limited to fair pay agreements and the New Zealand Social Unemployment Insurance Scheme.	Support establishing an inclusive Pacific network for Pacific workers and provide time and space for the network to meet and advance their priorities.		
3	Progression into leadership	Set targets and timeframes to increase the representation of Pacific peoples and other minorities in corporate governance and senior and middle management in the public sector and private sectors.	Set targets and timeframes to increase the representation of Pacific peoples and other minorities in corporate governance and senior and middle management in the public sector and private sectors. Ensure delivery of representation targets is linked to management performance indicators. Provide training to managers and people leaders to recognise and value culturally diverse forms of leadership. Recognise and remunerate Pacific leadership. Provide in-work mentoring for Pacific workers to develop their career pathways.	In bargaining with employers, include targets to increase the representation of Pacific peoples and other minorities in corporate governance and senior and middle management in the public and private sectors.	

#	THEME	GOVERNMENT	EMPLOYERS		PACIFIC WORKERS
4	Monitoring and reporting	Resource a government agency to provide support to employers to improve the quality of reporting and follow-up action plans. Work to ensure that reporting processes are followed by actionable, tailored and enforceable plans to address pay gaps that are found. Require mandatory annual reporting related to the delivery of employment services that provides information on levels of engagement with key services, including dispute resolution and mediation, disaggregated by gender and ethnicity. Mandate Te Kawa Mataaho | Public Service Commission to report on systemic trends and make recommendations for action from the annual reporting of public service agencies on their ethnic and gender pay gaps. Extend current public service requirements to report on ethnic and gender pay gaps to the wider public service.	Collect ethnicity data of existing and new employees. Monitor and report on pay gaps by the intersection of gender and ethnicity in the organisation and develop follow-up equity plans to close the gaps over time. Publish both mean and median data related to pay gaps. Publish data on progression within the workplace by gender as well as ethnicity and diversity of senior leadership.	Campaign for mandatory gender and ethnicity pay gap monitoring and reporting.	
5	Data	Ensure that, as a result of the current review into ethnicity data, Pacific peoples' data is categorised in meaningful and accurate ways that capture the identities of those living in Aotearoa New Zealand. Provide dedicated funding to ensure that Stats NZ is resourced to monitor gender and ethnic pay gaps over time rather than only monitoring gender pay gaps. Ensure that better-quality pay gap data is collected for disabled people, including data that can be disaggregated by gender and ethnicity.	Collect data on employees' gender, ethnicity and disability status, ensuring that people can self-identify for the purposes of advancing equity.	Collect data on union members' (and union staff) gender, ethnicity and disability status, ensuring that people can self-identify for the purposes of advancing equity.	Consider identifying your ethnicity when asked for human resources purposes in your organisation. You can ask what the purpose of the data collection is and what it will be used for.
	Data	Resource better data collection on the temporary labour force, including work being carried out through labour hire arrangements. Monitor the impact of these employment arrangements to ensure that they are meeting the requirements of decent work and that these employment relationships are not contributing to gender and ethnic pay gaps. Require all government agencies to publish data relating to their ethnic and gender pay gaps in their annual reporting to Parliament. This should include commentary on strategies and initiatives to reduce the gaps.			

#	THEME	GOVERNMENT	EMPLOYERS		PACIFIC WORKERS
6	Social procurement	Embed a firm commitment to furthering equality in the workplace in the Government Procurement Rules (social procurement) by: • restricting public procurement tender processes to companies and organisations that implement inclusive procurement strategies such as measuring and reporting of pay gaps • prioritising suppliers that demonstrate a commitment to workplace equality, which may be demonstrated through having an equity plan in place – for longer-term contracts, progress on achieving the equity plan should be demonstrated over time as a precondition to renewing the contract • including a requirement for 5 percent of government tenders to be awarded to Pacific-owned businesses. Provide support for Pacific businesses to build their capacity, if needed, to be tender ready.	Implement a policy for suppliers that commit to furthering equality – for example, by prioritising Pacific-owned suppliers or suppliers committed to workplace equality.	Advocate for supplier policies that commit to furthering equality and living wage employment – for example, by prioritising Pacific-owned suppliers or suppliers committed to workplace equality.	Self-employed contractors consider taking social procurement and tendering workshops, particularly those provided by Pacific organisations.
7	Paying the living wage	Raise and peg the minimum wage to the living wage to ensure that the increases to the minimum wage are adequate to meet people's living costs.	Align minimum pay rates with the living wage. Ensure the subsidiary workforce is paid the living wage as well as the core workforce.	Continue campaigning to raise and tether the minimum wage to the living wage.	Consider getting involved in the campaign for a living wage.
8	Recruitment agents and other suppliers of workers	Incentivise Work and Income via its success indicators to move beyond solely getting people into employment. Ensure it focuses instead on pathways to well-paid, safe, long term employment with opportunities for advancement.	Proactively require recruiters and supply agencies to provide diverse candidate lists.		
9	Childcare and parental leave	Ensure existing childcare subsidies for those on low incomes can be accessed by those in temporary or seasonal work. Raise the threshold required to receive the childcare subsidy. Set a timeframe for extending existing parental leave entitlements until a child is 12 months old.	Implement parental leave policies that top up the Inland Revenue payment to 100 percent of the employee's wages/salary for whichever parent or caregiver takes parental leave. Implement flexible working policies to support those with caring responsibilities. Include dependency leave in leave packages.	Include in bargaining enhanced parental leave arrangements, dependency leave and flexible working arrangements.	Consider making a flexible working request to accommodate your caring responsibilities.

#	THEME	GOVERNMENT	EMPLOYERS		PACIFIC WORKERS
10	Education about employment rights	Prioritise actions across the Employment Strategy and associated action plans, particularly the Pacific Employment Action Plan, that educate and support Pacific workers about their rights. Provide annual funding and partner with Pacific providers to co-design initiatives and campaigns for education about employment rights and pathways for progression.	Keep up to date with employer guidelines for employing Pacific peoples.	Help raise awareness among workers of gender and ethnic pay gaps. Find opportunities to work alongside organisations to promote education around employee rights such as during induction.	Consider attending training about employment rights. Find out about collective bargaining and the benefits of collective action. Consider joining a union. Consider becoming a delegate, if you are already a union member.
11	Training and professional development	Prioritise investment in the Pacific Employment Action Plan objectives around training and professional development. Work with employers to provide meaningful access to workplace training and professional development opportunities that can be delivered while workers are on the job.	Ensure that Pacific and other workers have meaningful access to professional development and training and recognise increases in professional development in remuneration rates.	Advocate for meaningful and equitable access to training and professional development opportunities for Pacific workers.	
12	Recognition of qualifications	Address the barriers to recognition of credentials gained overseas and provide resources to ensure that migrants can pass the assessments required to gain professional accreditation in Aotearoa New Zealand.			
13	Recognition of cultural competency	Ensure that government contracts for the health and social care sector adequately consider the full cost of culturally appropriate service delivery to ensure that providers can adequately remunerate staff for the cultural knowledge they bring to the delivery of the outcomes sought.	Recognise and remunerate the cultural skills and expertise that Pacific workers bring to the workplace. Engage with Pacific communities outside the workplace to better understand Pacific workers' wider roles and responsibilities and recognise the transferability of the leadership and skills arising from these into the workplace.	Ensure unions are culturally responsive and are able to actively advocate for Pacific union members.	Consider highlighting the transferable skills you have obtained outside of work when applying for a job and when applying for a promotion. Highlight the cultural intelligence you bring in meetings with your manager or leader – they are an added responsibility and skill.

#	THEME	GOVERNMENT	EMPLOYERS		PACIFIC WORKERS
14	Linguistic diversity	Ensure that a ministry or government department is resourced adequately to ensure compliance with employment law, including ensuring that all employers provide translations of employment agreements where English language literacy is low (such as via template agreements).	Provide available resources in Pacific languages to workers and draw on existing language support such as Language Line when required.	Actively advocate for workers for whom English is their second language and who may be vulnerable to exploitation. Assess whether union members have the English language literacy (including digital literacy) to read employment agreements. If not, require the employer to have the agreement translated into the language the members do have high literacy levels in. Provide resources in a range of community languages.	
15	Undocumented workers	Provide an amnesty for undocumented workers living in Aotearoa New Zealand.	Support campaigns for an amnesty for undocumented workers.	Support campaigns for an amnesty for undocumented workers.	
16	Complaints	Ensure that existing helplines are able to provide specialist support to people wanting to raise claims of discrimination and racial harassment. Provide support and guidance for the development of Pacific-designed complaints pathways in partnership with Pacific communities.	Have clear and transparent mechanisms for reporting racism and discrimination, including formal and informal options and options outside line management structures. In partnership with Pacific employees, develop a Pacific-designed complaints pathway. Diversify the complaint procedure by developing a procedure that incorporates culturally appropriate practices for communicating concerns that reflect Pacific respect-based value systems and ideals, including talanoa.	Promote existing helplines and complaints pathways. In partnership with Pacific representative bodies, Pacific union members and Pacific communities, develop a Pacific-designed complaints pathway.	Reach out for help or seek advice from someone you trust – whether informally to your family and community or more formally to a union delegate or other support.

#	THEME	GOVERNMENT	EMPLOYERS		PACIFIC WORKERS
17	Research and evaluation	Dedicate resources to more and better impact evaluations to understand what policies and practices will be most effective at closing gender and ethnic pay gaps in the Aotearoa New Zealand context. Allocate dedicated funding for research on effective strategies to close pay gaps, supporting Pacific leadership, understanding Pacific experiences in the labour market and understanding Pacific ways of learning and working. Monitor and report on the success of strategies and schemes put in place to address the gender and ethnic pay gaps. Develop a mechanism for sharing good practice that emerges from this.	Monitor and report on the success of any policies or practices put in place in the organisation to address the gender and ethnic pay gaps.	Keep up to date with research focused on the experiences and issues for Pacific workers. Ensure current and future pay equity campaigns are informed by Pacific-focused research.	
	Research and evaluation	Ensure agencies with employment portfolio responsibilities prioritise investment and commissioning of research focused on Pacific labour market outcomes to inform policy development. This should include funding targeted at particular groups including Pacific rainbow communities and Pacific disabled people. Investigate how experiences of institutional, structural and interpersonal racism impact on both the mental health and career outcomes of Pacific and other ethnic minority people.			
18	Recognised Seasonal Employer scheme	Review the Recognised Seasonal Employer scheme to ensure alignment and compliance with human rights.	Ensure an adequate and equitable standard of employment and living for RSE workers.		

Appendix One: Terms of Reference for the Pacific Pay Gap Inquiry

- The Commission will inquire into the pay gap of Pacific Peoples in Aotearoa New Zealand and its impact on equal employment opportunities, specifically by considering the issues as they concern private sector employers and employees in three sectors: Manufacturing, Construction and Health, with reference to:
  - The human rights obligations of the New Zealand Government with regards to pay equity;
  - The policy drivers and regulatory frameworks of employment as they impact on Pacific workers;
  - The perception of the contribution that Pacific workers play in society and employment and its relationship to New Zealand's colonial history and migration policy;
  - Pacific workers' experiences of discrimination and racial harassment in employment and their experiences of workplace complaint mechanisms and the employment and human rights complaint institutions;
  - Pacific cultural values as they shape workers' experiences;
  - Income of Pacific workers, taking into account pay parity and pay equity;
  - The Pacific Pay Gap and its significantly gendered nature;
  - Pacific workers' and self-employed contractors' experiences of pay negotiation, training, promotion and progression;
  - Pacific workers' experience of precarious work: effects of shift work, multiple jobs, uncertain hours, short-term labour-hire, insecure work;
  - Specific experiences of Pacific minority communities;
  - Pacific businesses' experiences of contract negotiation and the downstream impacts;
  - Employers' recruitment, retention and advancement practices and any data and monitoring currently taking place;
  - Other equal employment opportunity issues that impact on the Pacific Pay Gap which are raised during the course of the Inquiry.
- The Commission will consider, as a result of the Inquiry, whether to make recommendations on:
  - Changes to legislation, regulations, policies, practices, procedures, and funding arrangements;
  - The value of promulgating social campaigns, national frameworks, standards, guidelines or codes of practice to ensure equal employment opportunities for Pacific workers are progressed in Aotearoa New Zealand as a human rights matter;
  - A timetabled approach with clear benchmarks that relate to the implementation of improved equal employment opportunities for Pacific workers to be progressed in Aotearoa New Zealand.
- Although it is not the focus of the Inquiry, should it disclose a breach or possible breach of the Human Rights Act 1993 (HRA), the Commission will consider whether proceedings are brought before the Human Rights Review Tribunal under s 92E of the Human Rights Act (HRA) 1993 in respect of that breach.
- The Inquiry will be conducted under Section 5(2)(h) of the HRA:

  "to inquire generally into any matter, including any enactment or law, or any practice, or any procedure, whether governmental or non-governmental, if it appears to the Commission that the matter involves, or may involve, the infringement of human rights."
- The Inquiry will be undertaken by the Equal Employment Opportunities Commissioner, Saunoamaali'i Karanina Sumeo, and staff of the New Zealand Human Rights Commission. This work will support one of the primary functions of the Commission under Section 5(1)(d) of the HRA, to promote equal employment opportunities (including pay equity).
- A Reference group of leaders who have expertise in the areas of the Inquiry, from both the private and public sector, will be established. The Reference Group will be convened by the Equal Opportunities Commissioner, to provide advice about matters relating to the Inquiry. A separate Terms of Reference for the Reference Group has been created.
- The Inquiry is intended to be conducted over a 12-month period starting in April 2021.

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Appendix Two: Human rights framework

International human rights obligations

The Commission's starting point in engaging in this Inquiry is the international human rights framework outlined in the Universal Declaration of Human Rights (UDHR). Article 23 of the UDHR states that everyone has the right to work, to free choice of employment and to just and favourable conditions of work. The UDHR states that everyone, without any discrimination, has the right to equal pay for equal work and that everyone who works has the right to just and favourable remuneration ensuring an existence worthy of human dignity.

The right to the enjoyment of just and favourable conditions of work and an adequate standard of living is recognised in Article 7 and Article 11 of the International Covenant on Economic, Social and Cultural Rights.

In addition, Aotearoa New Zealand has ratified a number of international conventions that protect the rights of ethnic minorities from discrimination in employment matters and promote equality of opportunity in employment. These include the:

- ILO Discrimination (Employment and Occupation) Convention
- UN Convention on the Elimination of All Forms of Racial Discrimination
- UN Convention on the Elimination of All Forms of Discrimination against Women
- UN Convention on the Rights of Persons with Disabilities.

The rights contained in the UDHR and other international human rights agreements underpin the ILO's Decent Work Agenda to which New Zealand has made tripartite commitment. This commitment involves employers, the trade union movement and the Government. Furthermore, it is increasingly recognised that business enterprises have an important role to play in the upholding of human rights as outlined in the UN Guiding Principles on Business and Human Rights.

Domestic human rights obligations

The Human Rights Act 1993 prohibits discrimination in employment matters, including on the grounds of ethnicity, national origin or race. This complements the range of protections for employees contained in Aotearoa New Zealand's employment legislation.

Te Tiriti o Waitangi is the founding document of Aotearoa New Zealand and established a relationship, akin to partnership, between the Crown and Māori rangatira. It affirms the rights that Tangata Whenua had prior to 1840. It also gives tauiwi and the Crown a set of rights and responsibilities that enabled them to settle in Aotearoa New Zealand. The Commission recognises that upholding te Tiriti o Waitangi and addressing the legacy of colonisation in Aotearoa New Zealand, including structural racism, will benefit Pacific peoples along with Tangata Whenua.

Appendix Three: Recommendations from UN human rights bodies concerning Pacific peoples and employment

Aotearoa New Zealand's human rights performance is regularly reviewed by the UN human rights treaty bodies. We have identified the most recent recommendations – from 2016 to 2019 – concerning Pacific peoples and employment from these bodies. This includes recommendations related broadly to discrimination, equality and also to combating poverty.

UN body	Recommendation
Working Group on the Universal Periodic Review (1 April 2019)	Increase employment opportunities for marginalized groups, and notably Māori, Pasifika, women and persons with disabilities (Hungary). Improve anti-discrimination legislation for ensuring protection of the rights of the ethnic minorities, including Māori and Pasifika communities (Islamic Republic of Iran). Design a strategy to tackle social inequalities experienced by Māori and Pasifika communities in health, housing, employment, education, social services and justice (United Kingdom of Great Britain and Northern Ireland). Strengthen measures aimed at ensuring equality for all citizens, especially those of indigenous people of Māori and Pasifika, and ensuring their full rights within the legal system and in the labour, health and education sectors (Syrian Arab Republic). Provide Māori and Pasifika with adequate access to education and the labour market (Russian Federation).
Committee for Economic and Social Rights 2018 E/C.12/NZL/CO/4	Assess the effectiveness of measures taken to increase employment opportunities in general and for specific groups, notably Māori, Pasifika, women, persons with disabilities and youth. Strengthen its efforts to combat poverty, in particular among households with dependent children, notably Māori or Pasifika children and children with disabilities.
Committee on the Elimination of Discrimination against Women 2018 CEDAW/C/NZL/CO/8	Address the working conditions of Māori and Pasifika women, women with disabilities and young women in all areas of employment including through data collection and analysis. Take measures to reduce poverty and improve the economic empowerment of women, in particular women living in rural areas, Māori, Pasifika, Asian, immigrant, migrant and refugee women and women with disabilities.
Committee on the Elimination of Racial Discrimination 2017 CERD/C/NZL/CO/21-22	Set targets to increase representation of Māori, Pasifika and other minorities in corporate governance and senior management in the public sector, and to provide data on Māori, Pasifika and other minorities currently employed in the public sector with regard to distribution at job and managerial levels.
Human Rights Committee 2016 CCPR/C/NZL/CO/6	Develop programmes for the implementation of Sustainable Development Goal 5 to achieve gender equality and empower all women and girls, with particular focus on Māori and Pasifika women and girls, as well as women and girls with disabilities Address the high unemployment rates among Māori and Pasifika, in particular Māori and Pasifika women and young people, among persons with disabilities and among migrants, through the adoption and effective implementation of comprehensive employment and vocational training strategies.
Committee on the Rights of the Child 2016 CRC/C/NZL/CO/5	Introduce a systemic approach to addressing child poverty, in particular Māori and Pasifika children, including establishing a national definition of poverty

Appendix Four: The way we approached our Inquiry

A dedicated website was developed that hosted two submission survey forms:

- One survey targeted Pacific workers and was available in 10 Pacific languages.
- The second survey targeted employers and was available in English.

In addition to the surveys, a contact number and email address were provided for those for whom completing an online survey was not their preference.

Although the Inquiry team launched an online platform, it had not been our intention for this to be the primary means of engaging with Pacific workers. Instead, we planned for a series of community engagements with targeted groups from August to November 2021. The Inquiry team identified key groups with which to conduct workshops and talanoa to gather oral submissions for the Inquiry. The Inquiry team also responded to requests from community groups to conduct workshops.

Our original plan was that most of our engagement would be conducted face to face as this is the preferred and most culturally appropriate method for most Pacific peoples. However, this plan was impacted by the outbreak of the Delta wave of the COVID-19 virus and subsequent lockdowns. These particularly affected Pacific communities and impacted the engagement we could do. We discuss the impact of COVID-19 further below.

The Inquiry team was conscious that our engagements needed to be reciprocal, as is the Pacific way. At any face-to-face engagements, we provided food and mea alofa/me'a'ofa (gifts) to the participants. For online engagements, we asked people for their addresses so we could send the mea alofa/me'a'ofa to them.

We had significant engagement with workers in healthcare, although one issue we faced was the difficulty in distinguishing between those who worked in private, non-profit and public health. It was much harder to engage workers in construction and manufacturing, possibly related to less access to or need to access a computer during work. One way we were able to speak to manufacturing workers was by going to a strike where a group of Samoan workers were striking to be paid the living wage.

In the event and partly due to the impact of COVID-19 on our engagements, we also received significant input from workers in other industries, including education, social work and the public sector.

Demographic profile of survey respondents

This section provides information about the Pacific peoples who participated in the survey. It lists their age, gender, disability status, where they live, migration status, income level, union membership, level of education and sector in which they are employed. While we received 738 total survey responses, not every respondent answered each question – this means that the total numbers in the tables below will vary. On each variable, around a quarter of people did not provide a response.

Age

How old are you?	15–25 years	102	17.83%
	25–54 years	396	69.23%
	55–64 years	62	10.84%
	65 years or over	12	2.10%
	Total	**572**	

Gender

What is your gender?	Male	103	17.91%
	Female	466	81.04%
	Other (please specify)	6	1.04%
	Total	**575**	

Where Pacific peoples live

Location	Number	Percentage
North Auckland	9	1.6%
Central Auckland	27	4.9%
West Auckland	33	6.0%
South Auckland	130	23.6%
Auckland (not further defined)	190	34.4%
Total Auckland	**389**	**70.5%**

Hamilton and Waikato	14	2.5%
Tauranga	4	0.7%
Bay of Plenty	4	0.7%
Gisborne	9	1.6%
New Plymouth	4	0.7%
Wellington city	55	10.0%
Wellington region	31	5.6%
Christchurch	27	4.9%
Canterbury	7	1.3%
Dunedin	8	1.4%
Total	**552**	

Migration status

Where were you born?		
Aotearoa New Zealand	377	63.68%
Overseas	215	36.32%
Total	**592**	

Personal annual income

What is your personal income?	Under $24,500	62	11.76%
	$24,500 to $35,599	49	9.30%
	$36,000 to $47,499	66	12.52%
	$47,500 to $65,199	150	28.46%
	$65,200 and over	200	37.95%
	Total	**527**	

Is your income able to meet your household's everyday needs?	Not enough	144	27.27%
	Only just enough	177	33.52%
	Enough	146	27.65%
	More than enough	61	11.55%
	Total	**527**	

Union membership

Are you a member of a trade union?		
Yes	179	36.09%
No	317	63.91%
Total	**496**	

Education

What is your highest qualification?	No qualification	35	6.19%
	Secondary school qualification	10	19.12%
	Certificate or diploma	158	27.96%
	Bachelor's degree	166	29.38%
	Postgraduate degree	98	17.35%
	Total	**565**	

Disability

Do you identify as being disabled or experiencing an impairment or disability?	Yes	31	5.87%
	No	478	90.53%
	Prefer not to say	19	3.60%
	Total	**528**	

Sectors where Pacific peoples work

Which industry do you work in?	Manufacturing	40	7.92%
	Health	149	29.50%
	Construction	31	6.14%
	Other	316	62.57%
	Total	**505**	

Overall profile of survey respondents

Drawing on the data in the tables set out above, we can say the respondents to our survey overwhelmingly identified as female (more than 80 percent) and were mostly in the 15–54 age group (around 69 percent). Most lived in Auckland (just over 70 percent) and were born in Aotearoa New Zealand (64 percent). Around 6 percent identified as having a disability or impairment, while approximately 1 percent identified as a gender other than male or female.

Most survey respondents – nearly 75 percent – had received formal education and qualifications. A bachelor's degree was the most common highest qualification (at just over 29 percent), while nearly the same percentage (28 percent) had gained a certificate or diploma. Only around 6 percent of survey respondents had no qualifications.

Just under half of survey respondents earned between $36,000 per year and $65,000 per year. More than 10 percent, however, earned less than $24,500 per year. Of particular concern was that 60 percent of survey respondents said they either did not earn enough or only just enough to live on. Slightly over a third of respondents belonged to a union.

Despite the initial focus of the Inquiry being on construction, healthcare and manufacturing, most of the survey respondents (nearly 63 percent) were in other industries, with a particularly strong return from public servants. These rates are likely a result of the impact of COVID-19 on our planned programme of face-to-face engagements.

How we conducted our engagement

Engaging with Pacific workers

Pacific workers could engage with us via the online survey, workshops or talanoa. The workshops and talanoa were either face to face or online.

When filling out the survey, people were offered the opportunity to say they wanted to speak with us directly. For those who said they did, we contacted them and arranged to speak with them online. Phone and email contact was an option too.

Some community groups, student organisations, activist groups, family members, churches and unions brought groups of workers together to engage with us. We also engaged with several key informants across our focus industries.

We received a total of 1,163 submissions from workers via the range of avenues described above – 209 of these were from healthcare workers, while 171 were from manufacturing workers and 63 from construction workers. We received 720 submissions from those in other industries and sectors.

Due to the impacts of COVID-19, most of these submissions came from the online survey forms (738). We also heard from 239 key informants and 186 workers in workshops or talanoa.

Engaging with employers

A total of 24 employers were engaged individually in the Inquiry in different ways and an additional 45+ employers participated through employer workshops. The engagement took place as follows:

An online survey was developed for employers, and we received 16 responses from human resource leads, diversity and inclusion leads and managers. One of our questions asked employers to indicate if they were currently monitoring the ethnicity of their staff for the purposes of equity. The survey also asked employers whether they were aware of the Pacific Pay Gap within their organisation and what, if any, measures they were employing to close such gaps, if they existed. The survey further asked them to identify what they considered the factors contributing to the Pacific Pay Gap.

In addition, we actively recruited 14 organisations and or businesses operating in the three sectors of focus to carry out more in-depth interviews. For the employers we interviewed, we approached organisations and businesses in the three sectors of focus directly, while others were referred to us by business leaders. We also reached out to those who filled in the survey and identified that they wanted to speak with us directly. Three employers who completed a survey also carried out further in-depth interviews with us.

We focused on employers within our three focus industries of manufacturing, healthcare and construction. While we tried to reach a spread of small, medium and large firms, most of those with whom we engaged were large firms – 16 of the employers had 100 or more employees, two employed 50–100 employees, two employed 20–49 employees and four were small employers employing fewer than 20 staff.

About one-third of the employers we spoke with were Auckland-based and about another third operated across Aotearoa New Zealand, with a few others with operations in various regions, including Bay of Plenty, the South Island, Hamilton and Wellington. Ten of the 24 employers were Pacific-owned so at least half of the business owners identified as Pacific.

Initially, the Equal Employment Opportunities Commissioner and Inquiry team members would meet with the Chief Executive Officer of the organisation and further interviews would be conducted with other members – for example, the head of human resources and, in some cases, managers and diversity and inclusion leads. These interviews were mostly with individuals and were either face to face or online.

Finally, two employer workshops were held. One was attended by representatives from five Pacific-owned construction companies, and the second was attended by approximately 41 human resources leads from the public sector.

Engaging with unions

We engaged with both private and public sector unions during the Inquiry – this included four unions and one peak body over eight engagements. Primarily, engagement was through the unions' Pacific representative bodies (PRBs). We were invited to hold workshops with multiple unions' PRBs. However, most of these workshops were cancelled due to COVID-19.

As with other groups, unions were also impacted by the resurgence of COVID-19. They were busy themselves responding to COVID-related issues, including mass redundancies and vaccine mandates. In addition, many unions were conducting their work remotely and were, therefore, not able to facilitate the Inquiry team meeting with their Pacific membership at their places of work.

We would like to acknowledge that many unions' PRBs work closely with or are part of the same body as the Māori representative body. Unions' Māori representative bodies showed solidarity with their Pacific counterparts in assisting with facilitating engagement in the Inquiry and ensuring Pacific representatives were heard on issues impacting the Pacific, Māori and ethnic pay gaps within and outside their unions.

We are aware that several unions employ full-time policy staff who often write submissions to inquiries and select committees on behalf of their unions. We did not receive any written submissions on behalf of unions. Engagement with the Inquiry was left to the PRBs, which are operated by union delegates who undertake the role of union delegate in addition to their paid employment.

Engaging Pacific workers with talanoa and community workshops

Matada Research Group provided training for the Inquiry team on how to use talanoa as a method to engage with Pacific communities.

Talanoa is a method of talking, discussing or engaging in conversation that is interconnected with the concepts of Pacific cultural practice. Across the Pacific, talanoa is an existing cultural practice for these oratory cultures – "a concept recognised in many island nations across the Pacific including Fiji, Samoa, Solomon Islands, Niue, Hawai'i, the Cook Islands, and Tonga".[62]

[62] Prescott, Semisi. "Using Talanoa in Pacific Business Research in New Zealand: Experiences with Tongan Entrepreneurs." *AlterNative: An International Journal of Indigenous Peoples* 4, no. 1 (2008): 127-148.

Within the talanoa method are varying levels of talanoa that the Inquiry team used when having sensitive discussions with Pacific peoples. These include:

- fakatalanoa – a superficial initial meeting level
- po talanoa – a process where Tongans that have existing relationships create, exchange, resolve and share their relationships through talking – they tell stories and relate their daily experiences
- talatalanoa – where people "talk about selected topics endlessly".[63]

Fokotu'u talanoa "usually takes place during a formal setting where important and official concerns are to be discussed".[64] What underpins these varying levels of talanoa is the intention to build relationships between the people speaking by relating and connecting and creating familiarity and getting to know one another's place and identity. This type of relationship building is done by sharing stories, experiences and emotions.[65]

Members of the Inquiry team would meet with an individual or a group of Pacific workers and begin the engagement with talanoa. Utilising the talanoa method, the Inquiry team would begin by introducing themselves, professional backgrounds and their fakahoko (genealogy) to find commonality, or in some cases, the talanoa would begin with lotu (prayer).

A third common way of how we utilised talanoa was by asking someone how they were or how their day was going before moving into the talanoa about who we are.

The various ways we approached talanoa with the Pacific workers was "subjective, mostly oral and collaborative … flexible, it provides opportunities to probe, challenge, clarify and re-align"[66] as opposed to the rigid and linear non-Pacific method of engagement, which at times is direct, confrontational and less about building relationships and more about what the best outcome is for the project.

Ideally, depending on the time and whether we were engaging with Pacific workers online or in person, each person in the talanoa would get a chance to share their fakahoko and professional background or something about themselves.

This sharing and seeking connection in one another's stories helped create a friendly and familiar atmosphere that is conducive to Pacific peoples' natural way of engagement. As Vaioleti observes, "Talanoa is natural for most Pacific peoples".[67]

In some of our face-to-face engagements, the "talanoa conversation usually ends when malie [the energising and uplifting of spirits to a positive state of connectedness and enlightenment] and mafana [warm feelings they possess as a result of the talanoa] are no longer present"[68] in the talanoa or there was no new content to add.

In our online talanoa, due to the time constraints and challenges of engaging talanoa in an online environment, a number of these talanoa were more linear and undertook a more fokotu'u talanoa approach.

Both workshops and talanoa were held during our community engagement. While both involved hearing people's views, they were not conducted in the same way.

The workshop had a set time, and people were asked three question, which they took turns to answer:

- For you and your family, what makes a good workplace?
- Tell us about your experience of:
  - searching for a job
  - negotiating pay
  - being promoted
  - having training opportunities.
- What do you think are the solutions to closing the Pacific Pay Gap?

The talanoa had no time limits or set questions.

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[63] Fa'avae, David, Alison Jones, and Linitā Manu'atu. "Talanoa'i 'A e Talanoa – Talking about Talanoa: Some Dilemmas of a Novice Researcher." *AlterNative: An International Journal of Indigenous Peoples* 12, no. 2 (2016): 138-150, 140.

[64] Fa'avae et al., "Talking about Talanoa," 140

[65] Vaioleti, Timote. "Talanoa Research Methodology: A Developing Position on Pacific Research." *Waikato Journal of Education* 12 (2006): 21-34.

[66] Vaioleti, "Talanoa Research Methodology," 25.

[67] Vaioleti, "Talanoa Research Methodology," 25.

[68] Fa'avae et al., "Talking about Talanoa," 141.

We kept the Pacific Pay Gap subject as broad as possible, and people would share their stories of what it meant to them. We would ask questions as they flowed.

If an individual shared a story that a member of the Inquiry team had a similar experience of, this would be reciprocated. If individuals or groups were uncertain of where to start the talanoa or the sharing, a member of the Inquiry team might share the purpose behind the Inquiry or their personal reasons for being involved in the project.

Engaging Pacific employers with interviews

While talanoa was the elected method to engage with Pacific workers, the interview style was better suited for engaging with employers. This was due to employers being of both Pacific and non-Pacific heritage.

Contrary to the relational focus of the talanoa, an interview is mainly focused on gaining knowledge and information. The interview style prioritises the Inquiry team asking specific questions and setting timeframes. This style of engagement was more suitable for meeting with employers who were often time poor, therefore, setting clear questions and timelines was necessary. For Pacific employers, the talanoa and interview approach was used interchangeably.

Adapting approaches to engagement due to COVID-19

The lockdown meant that we had to adapt our engagement approach for the Inquiry. While we had planned to conduct most of the engagement face to face, this now had to shift online. The online engagements had several limitations.

The online approach meant we risked low engagement as many of our target audience worked as low-paid essential workers, many of whom do not use computers in their day-to-day work. This could have potentially added to engagement fatigue among Pacific communities. Engaging online limited our ability to provide a culturally safe space for participants who wished to raise what can be deeply personal and traumatic experiences.

Most importantly, it meant we potentially missed opportunities to engage key groups in a mana-enhancing way, building long-term relationships between Pacific communities and the Commission.

The 'digital divide' was another limitation.[69] While many Pacific peoples became familiar with using Zoom during the lockdowns due to churches holding online services, digital exclusion remains a serious problem for some members of the community. For example, older Pacific peoples often required the assistance of their children or grandchildren to assist them with using Zoom. Many low-waged Pacific workers do not use computers in their work and may not feel comfortable using computers. Some may not have a computer at home. While some had smartphones, they may not have the data required for an hour-plus video call or have access to wifi at work or home.

In addition, recent research reveals that Pacific peoples also experience distrust of the online world and fear that technology can be used 'safely'.[70] Of particular relevance is the high level of concern reported among Pacific peoples that their privacy and personal information would be protected online. Research has shown that online racism, including prejudice and hate speech aimed at the Pacific community, further contributes to Pacific peoples' distrust of digital spaces.

Only approximately 25 percent of the people who filled in the online survey identified as male. There are several possible explanations for this. It may be as a result of Pacific men's overrepresentation in jobs where computer skills are not used and the possibility that they may be more likely to lack confidence in digital environments. Another explanation is that the gendered response to the Inquiry relates to the fact that Pacific women face larger pay gaps than men and may have more reason to raise their concerns.

In addition, gender roles within Pacific households may be contributing to the dominance of women participating in the Inquiry. Often, Pacific women deal with the day-to-day home and family duties, including business matters. Finally, the fact that most of the Pacific Pay Gap Inquiry team were women and it was led by women may also have contributed to the high rates of women participating.

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[69] *Digital Inclusion User Insights: Pacific Peoples*. February 8, 2022. https://www.digital.govt.nz/dmsdocument/179~report-digital-inclusion-user-insights-pacific-peoples/html#key-findings

[70] *Digital Inclusion User Insights: Pacific Peoples.*

Appendix Five: Participant identifiers and demographics

All talanoa participant identifiers that appear in the report beginning with T and R had no demographic information provided.

ID	Demographics
S004	25–54, female, manufacturing, born in New Zealand
S005	25–54, female, manufacturing, born overseas
S008	55–64, female, manufacturing, born overseas
S010	25–54, male, manufacturing, born overseas
S011	25–54, male, manufacturing, born overseas
S016	25–54, female, manufacturing, born in New Zealand
S019	15–25, female, manufacturing, born overseas
S020	15–25, female, manufacturing, born in New Zealand
S021	15–25, male, manufacturing, born in New Zealand
S023	25–54, female, manufacturing, born in New Zealand
S027	25–54, female, manufacturing, born in New Zealand
S028	25–54, female, manufacturing, born in New Zealand
S029	25–54, male, manufacturing, born in New Zealand
S032	25–54, female, manufacturing, born overseas
S045	25–54, health, born in New Zealand
S047	25–54, male, health, born in New Zealand
S048	25–54, female, health, born in New Zealand
S055	25–54, female, health, born in New Zealand
S056	25–54, female, health, born in New Zealand
S063	65+, female, health, born overseas
S064	25–54, female, health, born in New Zealand
S066	25–54, female, health, born overseas
S068	25–54, female, health, born in New Zealand
S070	25–54, female, health, born overseas
S071	25–54, female, health, born in New Zealand
S074	25–54, male, health, born in New Zealand
S076	25–54, female, health, born in New Zealand
S077	25–54, female, health, born in New Zealand
S078	25–54, female, health, born in New Zealand
S079	25–54, female, health, born in New Zealand
S081	55–64, male, health, born overseas
S083	25–54, female, health, born overseas
S085	25–54, female, health, born in New Zealand
S091	25–54, female, health, born in New Zealand
S093	25–54, female, health, born overseas
S098	25–54, female, health, born in New Zealand
S100	25–54, female, health, born in New Zealand

S101	25–54, female, health, born in New Zealand
S102	15–25, female, health, born overseas
S105	25–54, female, health, born in New Zealand
S108	55–64, female, health, born overseas
S110	25–54, male, health, born overseas
S112	25–54, male, health, born overseas
S113	15–25, female, health, born overseas
S115	25–54, male, health, born overseas
S116	25–54, female, health, born in New Zealand
S121	15–25, female, health, born in New Zealand
S123	25–54, female, health, born overseas
S130	25–54, female, health, born in New Zealand
S132	25–54, female, health, born in New Zealand
S134	15–25, female, health, born in New Zealand
S137	15–25, female, health, born overseas
S138	25–54, female, health, born in New Zealand
S140	15–25, female, health, born in New Zealand
S142	25–54, female, health, born in New Zealand
S145	25–54, female, health, born in New Zealand
S146	55–64, female, health, born overseas
S148	25–54, female, health, born in New Zealand
S149	25–54, female, health, born in New Zealand
S150	55–64, female, health, born overseas
S151	25–54, female, health, born overseas
S152	25–54, female, health, born in New Zealand
S155	25–54, female, health, born overseas
S156	55–64, female, health, born in New Zealand
S158	25–54, male, health, born in New Zealand
S160	25–54, female, health, born in New Zealand
S170	25–54, female, health, born overseas
S175	25–54, female, health, born in New Zealand
S176	25–54, female, health, born overseas
S177	25–54, female, health, born overseas
S178	55–64, female, health, born overseas
S181	55–64, female, health, born overseas
S187	25–54, female, health, born overseas
S189	25–54, female, other, born overseas
S192	25–54, male, construction, born overseas
S193	25–54, male, other, born overseas
S197	25–54, male, construction, born overseas
S198	25–54, male, construction, born overseas
S199	25–54, male, other, born overseas
S200	25–54, male, construction, born overseas
S202	25–54, male, construction, born overseas

S203	25–54, female, construction, born in New Zealand
S204	25–54, male, other, born in New Zealand
S206	25–54, male, construction, born overseas
S207	25–54, female, construction, born in New Zealand
S208	25–54, male, construction, born overseas
S209	25–54, female, construction, born in New Zealand
S210	55–64, male, other, born in New Zealand
S211	55–64, male, construction, born in New Zealand
S213	25–54, female, construction, born in New Zealand
S216	25–54, male, construction, born overseas
S231	25–54, male, other, born in New Zealand
S245	55–64, female, other, born overseas
S245	55–64, female, other, born overseas
S263	25–54, female, other, born overseas
S280	25–54, female, other, born overseas
S282	25–54, female, other, born in New Zealand
S294	25–54, female, other, born in New Zealand
S296	25–54, female, other, born in New Zealand
S324	25–54, female, other, born overseas
S346	25–54, female, other, born overseas
S349	No demographics
S355	15–25, female, other, born in New Zealand
S379	25–54, other, other, born in New Zealand
S415	15–25, female, other, born in New Zealand
S428	25–54, female, other, born in New Zealand
S435	15–25, female, other, born overseas
S444	25–54, female, other, born in New Zealand
S446	25–54, female, other, born in New Zealand
S453	15–25, male, other, born in New Zealand
S502	25–54, female, other, born in New Zealand
S505	55–64, female, other, born overseas
S514	15–25, female, other, born in New Zealand
S533	55–64, female, other, born in New Zealand
S623	25–54, female, other, born overseas
S635	25–54, female, other, born in New Zealand
S647	No demographics
S653	25–54, female, other, born in New Zealand
S679	25–54, female, other, born overseas
S695	25–54, female, other, born in New Zealand
S721	25–54, female, other, born in New Zealand
S722	25–54, female, other, born overseas
S723	25–54, female, other, born overseas
S731	25–54, female, other, born overseas
S737	25–54, female, other, born in New Zealand
S739	55–64, female, other, born overseas

NZ Human Rights.

Te Kāhui Tika Tangata
Human Rights Commission

The New Zealand Human Rights Commission was set up in 1977 and works under the Human Rights Act 1993. Our purpose is to promote and protect the human rights of all people in Aotearoa New Zealand. We work for a free, fair, safe and just New Zealand, where diversity is valued, and human dignity and rights are respected. For more information, please visit our website: www.hrc.co.nz

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