



# Guidance for Workers

## Are you being treated unfairly at work?

### Your rights and what you can do.

If your employer is treating you unfairly or breaking the law, you don't have to stay silent. You have rights.

You can leave your job safely, apply for a special visa, and get help to claim unpaid wages or other money owed to you.

This guide explains how.

**Migrant Exploitation.  
Ends Here.**

[verimi.org.nz](http://verimi.org.nz)





**“When I complained to my employer about my working conditions, he got angry. He told me I should be grateful because I’m earning more than in India. But I wasn’t being paid what he promised, and I couldn’t even support my family.”**

Migrant worker who was helped  
by a Community Law Centre



**You don't have  
to accept this.  
Help is available.**

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# Introduction

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## Are you being treated unfairly?

Your employer might be breaking the law if they:

- Pay you less than the minimum wage
- Don't pay you for all your hours
- Make you give back part of your wages
- Don't give you breaks or days off
- Threaten to cancel your visa or deport you
- Make you pay money to get or keep your job
- Keep your passport or other documents
- Bully, harass, or hurt you
- Make you work in dangerous or unsafe conditions
- Threaten you or your family members.



This is “workplace exploitation” and it is against the law in New Zealand.

## Your rights at work

All workers in New Zealand have legal rights – including migrant workers.  
Your employer must:

### Pay you fairly

- At least the current minimum wage per hour – check [employment.govt.nz](http://employment.govt.nz) for the current rate
- The amount in your contract if it's higher
- For all the hours you work (subject to the terms of your employment agreement).



### Give you a written employment agreement that includes:

- Your name and your employer's full legal name
- Your job title, duties and location
- Your work hours
- Your pay rate
- Your leave and holidays
- A plain language explanation of how to resolve employment problems, including the 90-day time limit for raising a personal grievance.

## Let you take breaks

- Rest and meal breaks during your shift (the law sets these based on your hours).

## Keep records

- Accurate records of your hours, pay, and leave.

## Never:

- Charge you money for your job or visa (this is illegal)
- Take money from your wages without your written permission
- Bully, threaten, or discriminate against you.

Remember: You deserve to be treated with respect at work.

# Time off you're entitled to

By law, you must receive all of the following:

## Annual Leave

- 4 weeks of paid leave every year (after working 12 months)
- You can ask to take leave early, but your employer decides whether to approve it
- If you leave your job before you have worked a full year, your employer must pay you any holiday pay you have earned, which is usually calculated as 8% of your gross earnings.

## Public Holidays

- 12 paid days off per year (if you normally work those days)
- If you work on a public holiday: paid at 1.5 times your normal rate, plus another day off
- If a public holiday falls on a weekend, you get the Monday off instead ('Mondayised').

## Sick Leave

- 10 paid sick days per year (after working 6 months)
- You can save up to 20 days if you don't use them all.

## Bereavement Leave

- 3 days off for close family (parents, partner, children) – after 6 months of work
- 1 day off for other relatives or friends.

## Family Violence Leave

- 10 paid days per year if you are affected by family violence.

If your employer doesn't give you these, they are breaking the law.

# Warning signs: you might be experiencing exploitation

## Pay problems

- You are paid less than the minimum wage, or less than you were promised
- You don't get payslips, or you're paid only in cash
- You work more hours than you're paid for
- Your employer tells you to say you worked fewer hours than you did
- You must give money back to your employer.



## Time off problems

- You don't get breaks during your shift
- You don't get annual leave or sick days
- You work on public holidays but don't get extra pay or another day off.

## Threats and control

- Your employer threatens to cancel your visa or deport you
- Your employer keeps your passport or documents
- Your employer stops you from opening a bank account or getting an IRD number
- You can't leave your job or workplace freely.

## Abuse

- Your employer shouts at you, insults you, or hurts you
- You are made to work in dangerous conditions.

## Money for jobs

- You had to pay money to get this job (even if you paid before arriving in New Zealand)
- You must pay to keep your job or visa.

→ If any of these are happening to you, it's not your fault. You deserve better. Help is available.

# 1. Get free help

 If you're in danger right now: call the police on 111

You don't have to do this alone. These organisations help workers for free:

## VERI-Mi

- Free and confidential
- Independent charitable trust specialising in helping migrant workers
- Works in partnership with all 24 Community Law Centres across Aotearoa
- Website and app provide tools, templates, and step-by-step guidance.

Website: [verimi.org.nz](http://verimi.org.nz) Email: [info@verimi.org.nz](mailto:info@verimi.org.nz)

## Community Law Centres

- Free legal help for workers – 24 centres across New Zealand
- Can help you report exploitation and claim unpaid wages
- Interpreters available
- Will not share your information without your permission.

Find your local centre: [communitylaw.org.nz](http://communitylaw.org.nz)



## Other support

- **Citizens Advice Bureau (CAB):** free information, help with forms, and connection to local services.
- **Migrant Workers Association (MWA):** guidance and peer support for migrant workers.
- **Union Network of Migrants (UNEMIG):** migrant led, non-profit and non-sectarian. Aims to protect the rights and welfare of migrant workers in NZ.
- **Employment New Zealand:** report exploitation to government and get advice – call 0800 20 90 20 (interpreters available).

→ Contact one of these organisations before you do anything else. They will help you decide what to do next.

## 2. Collect evidence

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Proof of what happened will help your case. Try to collect as much as you can:

### Track your hours

- Write down when you start and finish work each day – do this every day
- Use the VERI-Mi app to track your hours and location automatically.

### Save messages

- WhatsApp, WeChat, text messages about your shifts, pay, or job conditions
- Don't delete anything, even if it upsets you – it could be important evidence.

### Take photos

- Your roster or timesheet
- Your payslips
- Inside your workplace (proves you were there – photos automatically record the date and time)
- Computer screens, till receipts, or anything showing when you worked.

### Keep money records

- If you paid money to get your job or visa, keep any proof (receipts, bank transfers, messages) – this applies even if you paid before arriving in New Zealand
- If you had to give money back to your employer, keep proof of this too.



### Write it down

- In your own words and language, write what happened
- Include: dates, times, what was said or done, who was there.

### Other evidence (if available)

- You can also contact your phone provider (e.g. Spark or One NZ) to request cell-tower data – this can confirm your location at specific times and support your case.

→The VERI-Mi app helps you collect and organise all of this safely and privately.

# 3. Understand your Visa options

If you're worried about your visa, you have options. You do not have to stay in an exploitative job to protect your immigration status.

## Migrant Exploitation Protection Visa (MEPV)

This is a special 6-month open work visa that lets you leave your current job and find new work anywhere in New Zealand, without risking deportation.

### How to get it – follow these steps in order:

1. Report the exploitation to Employment New Zealand: call 0800 20 90 20
2. They will review your report
3. If they believe you, they give you a "Report of Exploitation" letter
4. With this letter, you can leave your job safely and apply for the MEPV
5. Wait for your MEPV to be approved (usually takes 2–3 weeks)  
– do not start a new job until approved
6. Once approved, you can start a new job.



## What you need to apply for an MEPV

- Completed visa application form
- Certified copy of your passport ID page
- The Report of Exploitation letter from Employment NZ
- The MEPV is free – no medical or police certificates required.

## After your MEPV expires

- The MEPV lasts 6 months and cannot be extended
- Before it expires, you must apply for another visa if you want to stay in New Zealand
- Talk to Community Law or VERI-Mi about your options.

## Other visa option: Variation of Conditions

- If you find an accredited employer, you may be able to transfer your visa to them instead of applying for an MEPV
- This keeps your current visa type but changes the employer it is connected to
- You apply through Immigration New Zealand.

→ Only licensed immigration advisers, lawyers, or Citizens Advice Bureau volunteers can give you immigration advice. VERI-Mi and Community Law can connect you with the right person.

## 4. Report the exploitation and make a claim

### Report to Employment New Zealand (part of the Ministry of Business, Innovation and Employment)

- Call: 0800 20 90 20 (interpreters available)
- Online: [gethelp.employment.govt.nz](https://gethelp.employment.govt.nz)
- They may investigate your employer
- Reporting also enables you to apply for the MEPV (see Step 3).

### Make a personal claim

- You can claim your unpaid wages, holiday pay, and compensation
- Community Law or VERI-Mi can help you prepare your claim.

**Important time limits:** You must raise a personal grievance with your employer (or their representative) within **90 days** of the problem happening, or when you first became aware of it. A personal grievance covers issues like being unfairly dismissed, disadvantaged, bullied, or discriminated against. Claims for unpaid wages or holiday pay can be made up to **6 years** later.

### What happens after you report

- Employment New Zealand or MBIE may contact you for more information
- They may investigate your employer – a Labour Inspector may bring a civil claim, or Immigration NZ may pursue a criminal investigation
- Your case may go to mediation – a free meeting to try to resolve the problem with the help of a neutral third party
- If mediation doesn't resolve it, the Employment Relations Authority (ERA) can investigate and make a binding decision
- Note: if your case settles at mediation or you file in the ERA, it is likely MBIE or INZ will not pursue their own investigation – discuss this with your lawyer.

→ You don't have to do this alone. VERI-Mi and Community Law will support you at every step.



# How the VERI-Mi App helps you

The VERI-Mi app is a free tool that helps you track your hours, wages, and work conditions. It's designed to help you spot exploitation and take action.

## What the app does

- **Daily work diary:** log your start and finish times, breaks, and total hours worked.
- **Wage tracking:** record your pay for each shift and check if you're being paid correctly.
- **GPS location tracking:** confirms where you were working – helpful if your employer disputes your hours.
- **Photographic evidence:** take photos of rosters, payslips, contracts, or anything related to your job.
- **Secure and private:** your data is stored safely and can only be shared when you choose.
- **Connect to legal support:** links you to trusted legal and advocacy services.

## How to use the app

### 1. Set up

- Download VERI-Mi from the App Store or Google Play (it's free)
- Create your account and enter your workplace address
- In your phone settings, find the VERI-Mi app and set location access to "Always".

### 2. Track your hours every day

- Open the app when you start work – wait for the message that says you're at your work location
- You can close the app – it keeps tracking in the background
- Open the app again when you finish work and wait for the message that says you've left
- If you forget to tap out, the app can still record your shift as long as it was open briefly at both start and end.

### 3. Record your pay

- Enter your hourly rate and hours worked
- The app will check whether you have been paid correctly and flag any underpayment.

### 4. Take photos

- Use the app to photograph rosters, payslips, or anything about your job.

### 5. Check GPS is working (after a few days)

- Go to Account → My Diary → Geo-Location Report
- Open a report and check the last column (Validation) – a 'pass' means your GPS record is valid.

### 6. Share your records when ready

- Export your records and share them securely with your lawyer or advocate
- Everything stays private until you choose to share it.

# Get help today

You deserve fair treatment at work.  
You have rights. Help is available.

## VERI-Mi

Download the VERI-Mi app from the  
Apple App Store and Google Play.

→ [verimi.org.nz](https://verimi.org.nz)

→ [info@verimi.org.nz](mailto:info@verimi.org.nz)



## Community Law Centre

Free legal advice.  
Your information stays private.

→ [communitylaw.org.nz](https://communitylaw.org.nz)

## Employment New Zealand

Report exploitation.  
Interpreters available.

→ [0800 20 90 20](tel:0800209020)

→ [gethelp.employment.govt.nz](https://gethelp.employment.govt.nz)

## Police Emergency: 111

If you are in danger right now

You are not alone.  
You deserve fair treatment.  
Take action today.

[verimi.org.nz](https://verimi.org.nz)