

Kia ora,

Yesterday the Minister for Workplace Relations and Safety opened consultation on possible changes to better protect vulnerable contractors in New Zealand. We are keen to hear what you think about these options for change.

While contracting arrangements can be beneficial for both firms and workers, they do not work for everyone.

There are two situations in New Zealand that we are particularly concerned about:

- Some workers are misclassified as 'independent contractors' when they are, in substance, employees, so miss out on basic employment rights and protections.
- Some workers are in a 'grey zone' between employee and contractor status and may have low bargaining power and be vulnerable to poor outcomes.

We have developed a number of possible options to improve legal protections for these workers, which can be grouped into four main approaches:

- deter employers from misclassifying workers as contractors and not employees,
- make it easier for workers to access a determination of their employment status,
- change who is an employee under New Zealand law, and
- enhance protections for contractors without making them employees.

These options aim to provide a fair balance between protecting vulnerable contractors, and keeping the flexibility, independence, and other benefits of contracting in arrangements where it works.

A full outline of the problem and options for change can be found in the discussion document [here](#).

We would value your views on these options, including which changes would make the biggest difference, and how they could be implemented effectively. You can provide us with feedback in any form, and you do not need to answer all of the questions asked in the discussion document. Visit www.mbie.govt.nz/contractorsconsultation to have your say. Please share this link with those in your network who may be interested in making a submission.

Your feedback will help us develop a comprehensive response to the challenges faced by contractors who experience poor outcomes in New Zealand.

Consultation closes at 5pm on 14 February 2020.

Ngā mihi,

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