

Blog August 2026

Sensible compliance is ethical compliance

New Zealand needs strong standards. Workers must be protected, employers must meet their obligations and serious wrongdoing must be investigated properly. That is not in dispute.

But there is an important difference between sensible compliance and compliance for its own sake.

A NZ Herald opinion piece dated 28 June 2026 by retired District Court Judge David Harvey raised a wider concern about New Zealand's growing "grievance industry". His argument was that too many processes now treat offence, complaint or disagreement as if they are the same as proven harm. The result, he suggests, is a culture where the process itself becomes the punishment.

For NZEE members, there is a clear lesson in this.

Ethical employment does not mean endless paperwork, vague rules or complaint processes that can be used without discipline or context. Ethical employment means doing the right thing in a way that is practical, fair, evidence-based and focused on real outcomes for workers.

NZEE has always supported high standards. Our members understand that the RSE scheme, and seasonal employment more broadly, depends on trust. That trust comes from good accommodation, fair pay, safe workplaces, proper pastoral care, respect for workers and genuine worker voice.

But trust is not strengthened by creating compliance systems that are confusing, duplicative or impossible to apply consistently. Nor is it strengthened by treating every allegation as a finding, every concern as a breach or every employer as if they are acting in bad faith.

The right approach is sensible compliance.

That means clear rules, not moving targets. It means employers knowing what is expected of them before they are judged against those expectations. It means practical guidance, proper examples and enough certainty for businesses to make decisions confidently. It also means regulators focusing their effort where the risk is real, rather than spreading resource thinly across employers who are already trying to do the right thing.

Sensible compliance also means natural justice. Serious allegations must be treated seriously, but they must also be tested properly. Investigators should investigate. Evidence should be gathered. Workers should be protected from retaliation. Employers should preserve records and follow the direction of Police, MBIE, Labour Inspectorate or Immigration New Zealand where they are involved.

What NZEE should not do, and what no responsible system should do, is rush to judgement before the facts are known.

This matters because poor compliance design does not just frustrate employers. It can actually weaken worker protection. When the rules become too complex, attention shifts from real welfare issues to form-filling. When processes become punitive by default, employers become defensive rather than open.

When agencies ask for slightly different things in slightly different ways, everyone spends more time managing the system and less time improving outcomes.

Our ethos should be simple: high standards, sensible systems.

NZEE members are not asking for a free pass. They are asking for compliance that is clear, proportionate and focused on what matters. They are asking for a system that recognises good employers, targets poor practice, and deals firmly with genuine exploitation. That is entirely consistent with ethical employment.

It is also consistent with the future of the RSE scheme. If New Zealand wants a scheme that is trusted by workers, Pacific communities, employers, government and the wider public, then compliance must be credible. Credible compliance is not the same as heavy compliance. It is compliance that is fair, practical and effective.

That is the space NZEE should continue to occupy.

We support strong enforcement where there is real harm. We support worker voice, good process and transparency. We help members understand and meet their obligations. But we also push back against vague requirements, duplicative checks, and grievance-driven processes that do not improve outcomes.

Ethical employment is not about box-ticking. It is about doing the right thing, proving it when required, and ensuring that the system remains focused on real people, real risks and real solutions.