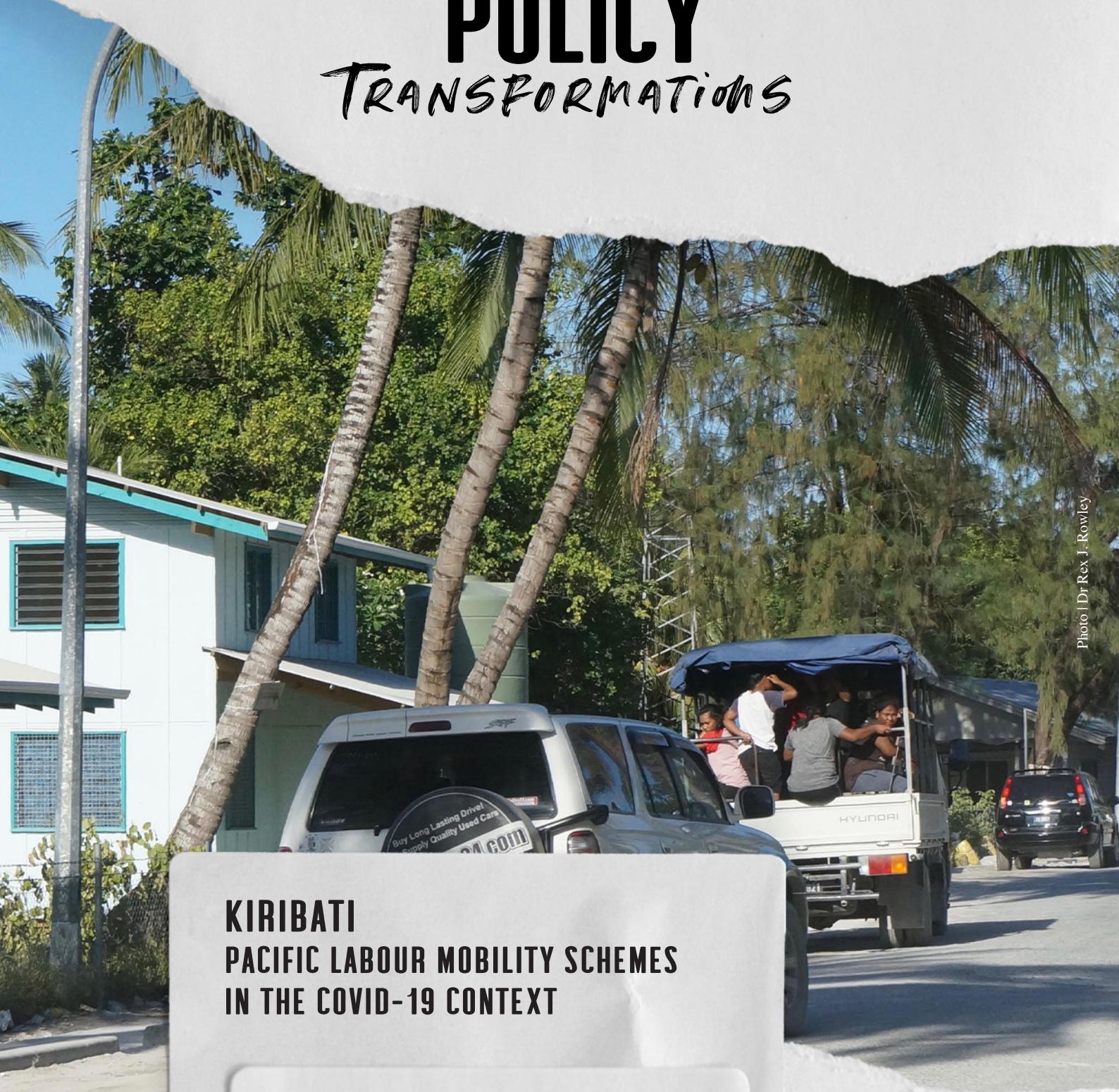


DAWN DISCUSSION PAPER #42

POLICY TRANSFORMATIONS



KIRIBATI
PACIFIC LABOUR MOBILITY SCHEMES
IN THE COVID-19 CONTEXT

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REGION:

PACIFIC

POLICY AREA:

- MIGRATION AND HUMAN MOBILITIES
- LABOUR POLICIES AND WORKERS' RIGHTS

Using a feminist intersectional and interlinkages approach, this project closely examines policy changes that have taken place during the period of exceptionality produced by the pandemic, exploring how they may impact the future in four policy areas: macroeconomics; labour policies and workers' rights; migration and human mobilities, care and social protection.

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Feedback and comments are welcome and may be sent to info@dawnnet.org. This paper may be used freely without modification and with clear referencing to the author and DAWN.

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ABSTRACT

In March of 2020, with the closure of international borders and the cessation of mobility, I-Kiribati seasonal workers were left stranded in Australia and New Zealand. Unable to return home, with reduced hours and wages, the plight of I-Kiribati seasonal workers during the COVID-19 context has proved extremely difficult. This paper explores the policy responses that have emerged to support seasonal workers and the outcomes this had for the wider Pacific Labour Mobility landscape. Through desk research of recent studies and data, and by examining the hypotheses proposed by DAWN's analytical framework (Llavaneras Blanco and Cuervo, 2021), this paper argues responses in the aftermath of COVID-19 indicate that Pacific Labour Mobility (PLM) remains 'business as usual', with no major transformative policy changes taking place. Existing inequities within these schemes, remain. Allegations of exploitation and abuse continue, with a larger number of seasonal workers absconding in 2021 compared to the prior year. Longstanding gender biases have also been brought to the fore, with the experiences of six Kiribati women who have given birth in New Zealand, unable to return home and having to bear the medical costs themselves. The paper concludes that despite these trends there are opportunities for more transformative change to occur and the pandemic has highlighted this through the role that diaspora communities have played in supporting seasonal workers.

LIST OF ACRONYMS

ATR	Agreement to Recruit
DIA	Department of Internal Affairs
GoK	Government of Kiribati
ILO	International Labour Organisation
KIT	Kiribati Institute of Technology
KV20	Kiribati Twenty Year Vision Plan
MBIE	Ministry of Business Innovation and Enterprise
MFAT	Ministry of Foreign Affairs and Trade
MIQ	Managed Isolation and Quarantine
MTC	Marine Training Centre
NLMP	National Labour Mobility Plan
NSO	National Statistics Office
NZDF	New Zealand Defence Force
PACER	Pacific Agreement on Closer Economic Relations
PALM	Pacific Australia Labour Mobility
PLM	Pacific Labour Mobility
PLS	Pacific Labour Scheme
RSE	Recognised Seasonal Employer Scheme
SRHR	Sexual and Reproductive Health and Rights
SWP	Seasonal Work Program

INTRODUCTION

Those living in the Republic of Kiribati, an atoll nation in the central Pacific, are no strangers to migration and mobility. Atoll life has long required I-Kiribati to be expert navigators of the ocean, traversing across the region for resources and further opportunities. In colonial times, I-Kiribati have displayed resilience in the face of migration and forced resettlement which has seen I-Kiribati communities established in the Solomon Islands and in Rabi, Fiji. In contemporary times, with the impacts of Climate Change and other pressing development challenges, I-Kiribati are moving to and from the region seeking better employment opportunities as seafarers on international ships and now more recently, on temporary mobility schemes.

In the last fifteen years, the Government of Kiribati has recognised the important role of contemporary Pacific labour mobility in addressing rising unemployment as well as, to promote economic and social development. Hundreds of I-Kiribati men and women have sought employment working on farms or picking fruit under the Seasonal Worker Program (SWP) in Australia and the Recognised Seasonal Employer Scheme (RSE) in New Zealand. More recently, the establishment of the Pacific Labour Scheme has also seen I-Kiribati workers employed in tourism, hospitality, meat processing, forestry, and aged care industries. All three schemes are often applauded for representing international best-practice for labour mobility schemes (International Labour Organization, 2009; Gibson and McKenzie, 2014), owing to the ‘triple-win’s (sometimes quadruple) accrued to all involved.

However, with the spread of the COVID-19 pandemic, longstanding inequities within these schemes have been magnified. In early 2020, the pandemic wreaked havoc globally, bringing Pacific Labour Mobility to a standstill. Bordure closures and lockdowns saw I-Kiribati seasonal workers stranded throughout Australia and New Zealand. Although I-Kiribati workers have continued to display resilience and perseverance during this time, I-Kiribati seasonal workers were amongst the worst hit by the pandemic, experiencing massive reductions in hours and wages. For some, particularly those in New Zealand, an extended stay has proved extremely challenging and has exposed some of the gendered aspects of seasonal work that have often remained hidden in previous years.

Through desk research of recent studies and data, and by examining the hypotheses proposed by DAWN's analytical framework (Llavaneras Blanco and Cuervo, 2021), this paper argues responses in the aftermath of COVID-19 indicate that PLM remains 'business as usual', with no major transformative policy changes taking place. In the COVID-19 context, the Kiribati Government is limited in its ability to look after its foreign nationals stuck in New Zealand and Australia. Meanwhile, much of the policy responses in Australia and New Zealand continue to be centred around the growth of their agriculture and horticulture sectors with little attention paid to the expansion of rights and entitlements of workers. However, the pandemic has also highlighted the important role that diaspora and NGO communities play in supporting seasonal workers and has also prompted some changes regarding the responsibility of receiving countries to produce fairer wages, improved immigration status and better living and working conditions for I-Kiribati seasonal workers.

BACKGROUND TO KIRIBATI AND PACIFIC LABOUR MOBILITY

Over the last fifteen years, the New Zealand and Australian governments have progressively introduced temporary labour migration schemes with participating Pacific Island countries. New Zealand's Recognised Seasonal Employer (RSE) scheme was first introduced in 2007 responding to labour-shortages in the New Zealand horticulture sector. Modelled on the RSE, Australia soon established the Seasonal Worker Program (SWP) in 2008 and the Pacific Labour Scheme (PLS) in 2018. Whilst labour shortages in Australia and New Zealand are a major driver for PLM, there is an alignment of interests between sending and receiving governments. Since inception, Pacific Island countries have also played a key role in the development of these schemes. For Kiribati, labour mobility presents one of the few viable opportunities to address growing rates of unemploymentⁱ, as well as contribute to sustainable development, by way of remittances sent home.ⁱⁱ Indeed, the Government of Kiribati has actively lobbied and pushed for the expansion of these schemes (Radio New Zealand, 2019) and the importance of migration and labour mobility has increasingly been recognised in a number of policy documents.

In 2015, the Government of Kiribati (GoK) under former president Anote Tong adopted a comprehensive National Labour Mobility Policy (NLMP). The NLMP outlines a series of activities to facilitate labour migration abroad, which is seen as necessary and vital for economic and social development in country. This policy was central to Tong's vision to "provide I-Kiribati with increased opportunities to migrate with dignity by accessing decent work opportunities abroad" (GoK, 2015: p.1). Whilst skilled labour was originally the intention of this policy, it also clearly states a desire for Kiribati to increase and maximise seasonal work opportunities. Labour mobility is also an integral part of the Kiribati 20-Year Vision Plan (KV20). Established by the current Government under Taneti Mamau elected in 2016 and now serving his second term, the KV20 sets out the Government's desire for Kiribati to reach its 'full potential through maximizing revenue and output from natural, human and cultural capital.' (GoK, 2016). Maximising temporary labour mobility opportunities is a key strategy for economic growth within this plan, due to income-generating reasons and also partly for the opportunities it provides for the acquisition of skills and knowledge that can contribute to development in country. Alongside these key policy documents, in 2017 Kiribati also formally adopted the PACER Plus Agreement and its associated Labour Mobility Arrangement. Kiribati, alongside other Pacific Island countries played an instrumental role in negotiating the inclusion of Pacific Labour Mobility within this Free Trade Agreement with Australia and New Zealand. The signing of PACER Plus by the Kiribati Government further signals its ongoing commitment to the expansion of Pacific Labour Mobility opportunities.

WHY DO I-KIRIBATI WORKERS APPLY FOR THESE SCHEMES?

Employment on PLM schemes also remains an attractive opportunity for I-Kiribati nationals. For many I-Kiribati citizens, employment opportunities are extremely limited and employment on these schemes will mean earning a significantly larger income than through opportunities available at home. Every year, 2,000 students graduate from Kiribati's secondary schools, of whom approximately five hundred are absorbed into the local workforce, and a further four hundred of whom go on to further education. The remaining 1,100 graduates are left without training or job opportunities (National Youth Policy, Government of Kiribati, 2011) and according to the most recent statistics in 2015, Kiribati's total unemployment rate was 41.3 per cent (NSO, 2015).

Whilst there are several public institutions that have a role in trying to improve these figures in Kiribati - The Marine Training Centre (MTC) trains qualified seafarers and fishing vessel personnel. The Kiribati Institute of Technology (KIT) trains qualified trades workers and aged care workers accredited to Australian qualifications – applications for seasonal work still far outweigh the actual opportunities available and the SWP and RSE schemes only employ about 2.5 per cent of Kiribati's total workforce.

In the season before the pandemic hit, there were a total of 606 I-Kiribati workers employed on the RSE and SWP, with 359 and 247 Kiribati workers respectively (ILO, 2019). Although the Government has tried to equitably spread employment opportunities across the thirty-three islands of Kiribati, through an island quota system, most seasonal workers are from Tarawa. Whilst this system ensures all islands are represented, the small numbers recruited from Kiribati each season mean very few are selected from individual islands.

Interestingly, Kiribati remains the Pacific source country with the highest share of women in its seasonal worker population. In the RSE scheme, women accounted for thirty-six per cent of the total number of 263 I-Kiribati arrivals in the 2018-201919 season (Bedford, 2021). The higher share of women RSE workers is attributed to a dedicated RSE Unit, established by the Kiribati Government which has made considerable effort to secure new employers, especially for women (ILO, 2019). Furthermore, considerable effort has been made by former Ministry of Business Innovation and Enterprise (MBIE) staff to incentivise RSE employers to recruit female workers. However, participation of women on these schemes remains low with significant barriers existing within sending and receiving country ends. These aspects will be elaborated on further below.

SEASONAL WORKER EXPERIENCES

Whilst PLM in Kiribati does provide important employment opportunities for some workers, it is less clear whether the economic benefits accrued through these schemes compensates for the loss of social and other rights in the destination country (Underhill-Sem and Marsters, 2017). In both Australia and New Zealand, seasonal workers are tied to one employer and there are strict conditions around arrival, departure, length of stay and movements when not working. In some instances, employers require workers to stay at approved accommodation, keep curfews or avoid drinking alcohol (Bedford et al., 2020). As well as these restrictions, workers are also required to make mandatory tax payments, paying for a share of the international airfare, paying insurance levies, covering accommodation costs and contributing to transport costs to and from the workplace. Previous research has illustrated that these mandatory costs have been subject to manipulation by employers and complaints of wage theft and worker exploitation have occurred over the years. For example, excessive costs for transport have been imposed on workers, and transport providers have been criticised for disproportionate charges (Bedford, 2013; Bedford et al., 2017; Rockwell, 2016). There have also been reported cases of workers being placed in overcrowded and substandard lodgings with inadequate facilities and rates set too high (Bailey, 2018). As workers are tied to one employer, this has meant that for workers who are unhappy with their current situations, they tend to either go back home or choose not to make a fuss due to a perception that those who complain will not be invited back (Bedford et al., 2020: p. 52).

The ability to form and join worker unions is a crucial aspect for mitigating exploitative worker conditions. However, over the years rates of union membership amongst Pacific seasonal workers has remained low (MacLellan, 2017). Although unions in both New Zealand and Australia were involved in the establishment of the seasonal worker schemes, and in both countries seasonal workers are allowed to join unions, Brickenstein's (2015) research with farmers and seasonal workers highlighted low unionisation amongst seasonal workers in Australia. A big reason for a lack of union membership amongst workers was attributed to a disinterest in paying membership fees and a lack of understanding the role of unions. Whilst a disinterest in fees and perhaps a lack of understanding might well be deterrents for seasonal workers, there have also been instances in the past where workers have been pressured to

leave unions by their employers. This was seen with a group of Ni-Vanuatu workers, who joined a union after a series of deductions were included on their pay slips. The labour hire that had employed the workers then pressured workers to quit the National Union of Workers. If they did not, they would be denied future employment, and would not be recruited via the SWP again (McKenzie and Toscano, 2017).

SOCIAL AND GENDERED IMPLICATIONS OF PARTICIPATING IN SEASONAL WORK

There are also lesser acknowledged social costs for workers and their families when participating in seasonal work. The nature of seasonal work requires workers to leave their homes for nine to eleven months a year, often returning for consecutive years. In the early days of Pacific labour schemes, the primary relationship was understood as being between the employer and Pacific worker (Bedford, 2020). While the workers' family and community were recognised as being part of the context, it was only after the schemes had been operating for some years that their significance as stakeholders became better appreciated. Behind each worker is a partner, children, parents, in-laws, extended family members and those living in the same village or community, all of whom may be affected directly or indirectly in their daily lives by the worker's absence.

Research that focuses on the ongoing responsibilities for social reproductive care work for households that remain behind in the Pacific is limited. However, Pacific labour mobility schemes tend to have a 'male-breadwinner bias' (Elson and Cagatay, 2000: p.1355) and both schemes have been dominated by male workers over the years. Thus, there are very clear gendered aspects to PLM, whereby women who remain behind often bear the brunt of added household and care responsibilities entrenching already very clear gendered divisions of labour in the Pacific. Suddenly, mothers become sole parents managing children, caring for sick children or providing special support to children who are missing their father which creates additional pressures. Furthermore, women may take on additional responsibilities for care of their elderly in-laws or other family members (Chattier, 2019). In the case of Kiribati, even where a larger proportion of seasonal workers are women, research has shown that gender and reproductive roles for families left behind, remain the same. Female family members, such as aunties and grandmothers, are more likely to look after children of women workers than the father who remains at home (Bedford, 2020; Kagan, 2016).

Another major gap in the literature is research that focuses on the perspectives and experiences of women seasonal workers themselves. To date, women's participation in the

SWP and RSE has been low (Bailey, 2014; Chattier, 2019) which is attributed to several factors. In host countries, a preference for male workers has prevailed and it has taken several years for employers to recognise the value of women workers (Bailey, 2019; Ball et al., 2015; Chattier, 2019). In sending countries, normal and gendered divisions of labour, as well as women's lack of strong networks with employer agents, can prevent women's participation (Bailey, 2019; Ball et al., 2015; Chattier, 2019). Although there is a lack of literature concerned with women seasonal worker experiences, Kagan's (2016) research on the experiences of I-Kiribati women involved on international cruise ship employment sheds light on the gendered implications for women involved in temporary migration, particularly regarding sexual and reproductive health and rights. For the women involved in this study, nearly half fell pregnant while working on the cruise ship. The research emphasised that women migrant perspectives need to be better considered in policy response and research, highlighting that sexual and reproductive health tends to have larger implications for women than for men and is often not considered fully within temporary labour migration. These gendered aspects of participating in seasonal work, as well as the social implications for families left behind, often remain hidden in the dominant discourses around Pacific Labour Mobility. For I-Kiribati seasonal workers, particularly those still stranded in New Zealand since the pandemic began, these issues have been highlighted and exacerbated for those who have now been working consecutively over sixteen months, far longer than the original six to nine months anticipated. This next section shall discuss PLM policy responses in the aftermath of COVID-19 and the experiences of stranded I-Kiribati workers.

COVID-19 POLICY RESPONSES

In March of 2020, international border closures and the cessation of mobility saw hundreds of Kiribati seasonal workers stuck in Australia and New Zealand. Around 159 I-Kiribati workers were stuck in Australia under the SWP and 286 remained in New Zealand under the RSE (IOM, 2020; Bedford, 2021). At the same time, those about to leave for pre-assigned employment on these schemes were unable to leave Kiribati. The situation of I-Kiribati seasonal workers in New Zealand and Australia has proved more challenging than for other Pacific seasonal worker groups, with greater reductions in hours and wages. Although early concerns related to the legality of their stay have now been addressed by visa extensions and re-deployment options, Kiribati seasonal workers in New Zealand, continue to be stuck in limbo with no pathway for repatriation. Furthermore, an extended stay has proved rather difficult for the I-Kiribati women who remain in New Zealand, with six women having given birth during this time. This section will detail the policy responses that have occurred in the aftermath of COVID-19 in relation to labour mobility schemes in Australia and New Zealand.

Table 1.1: COVID-19 Pacific Labour Mobility Policy Response by Country

Policy Area	Australia	New Zealand
Visa Conditions	Visa extensions - Temporary changes to visa arrangements to allow Pacific workers to continue working until the pandemic crisis has passed.	Visa extensions – NZ Government has announced a series of visa extensions for RSE workers who cannot return home.
	Temporary Visa changes – During the COVID-19 period seasonal workers are allowed to move between Sponsors/Approved Employers.	Variations of Visa Conditions – workers allowed to shift between different regions and crops.
		Time-limited Visa Changes – Stranded RSE workers allowed to work up to 15 hours of part-time work in any industry.
Financial Assistance	No federal government support, but state-based measures often with assistance of Red Cross.	Temporary visitor Care Manaaki Manuhiri programme, July 2020 – December 2020. The DIA program made in-kind support available to cover essential costs such as rent, utility bills or food. RSE workers without work or with insufficient hours to meet their expenses are eligible to apply, and assistance paid directly to RSE employers based on the living costs they deduct from workers.
	Workers able to access up to AUD 10,000 (or approximately USD 7000) of their superannuation.	December 2020- August 2021 temporary visa holders in hardship due to COVID-19 able to get an Emergency Benefit from Work and Income at MSD.
Repatriation	Palladium has led efforts to repatriate seasonal workers. SWP has resumed, however repatriation pathways for Kiribati workers remains unclear.	NZ MFAT has led repatriation efforts in late for some Pacific workers. However, no pathway home for Kiribati seasonal workers.
Health	COVID-19 related medical and quarantine costs covered by health insurance and/or employer.	COVID-19 related medical and quarantine costs covered by health insurance and/or employer.
Other Support Measures	October 2020 Safeguarding the Welfare of Workers package, AUD 9 million (USD 6.5 million) to support welfare of Pacific and Timorese workers.	For workers with reduced hours, opportunities for further training through MFAT's <i>Vakameasina</i> program.

Source: Own elaboration, Based on data from Ministry of Foreign Affairs NZ, Department of Foreign Affairs and Trade, Australia.

VISA CONDITIONS

Early in the pandemic, visa conditions presented one of the biggest challenges for seasonal workers. Many of the I-Kiribati seasonal workers had arrived in Australia and New Zealand late 2019 or early 2020 on nine to eleven-month contracts. Seasonal work visas in both countries require workers to depart within two weeks of the end of their contract date (Bedford, 2020). With the closure of international borders, all I-Kiribati workers were faced with the possibility of breaching their visa conditions and illegally residing in Australia and New Zealand. Furthermore, visa conditions initially meant that for Kiribati workers who found themselves without work due to lockdowns in certain areas as well as standdowns in various industries meant that legally they were not able to find employment elsewhere.

In response to these challenges, Australia and New Zealand implemented a series of temporary changes to visa conditions for seasonal workers. Changes in both Australia and New Zealand saw continuous visa extensions for seasonal workers who were unable to return home (Askola, 2021). In April, the Australian Government announced temporary changes to visa arrangements that would allow Pacific workers under the SWP and PLS to continue working in the agriculture sector until the coronavirus crisis has passed, under the same visa conditions. Whilst the New Zealand Government extended visas initially up until September 2020 and have since made continuous visa extensions available, at the time of writing this paper (November 2021).

In New Zealand there was already some flexibility pre-covid, for workers to move between approved employers under a joint Approval to Recruit (ATR) system, allowing employers to share workers Pacific workers across different crops and regions, however many were not employed on ATR contracts. As such Immigration New Zealand processed thousands of variations in visa conditions to enable workers to shift between different regions and crops. Furthermore, time-limited changes saw stranded RSE workers allowed to take up extra part-time work in any industry. Whilst in Australia, temporary changes in Australia also allowed workers to move between sponsors or approved employers (DHA, 2021).

Whilst these changes were welcomed by employers and workers, these visa changes can be considered ‘business as usual’ and are unlikely to lead to any permanent visa changes that would result in more freedoms for seasonal workers. Furthermore, research in Australia and New Zealand showed that employers and seasonal workers were unhappy with the government bureaucracy involved with arranging visa extensions for workers with reports of long approval and processing times that left workers in limbo waiting for these approvals to come through. Many workers relied on their savings to get through these periods of no or reduced work which raised concerns over workers ability to save money (Bedford, 2020; Petrou et al., 2021).

FINANCIAL SUPPORT

In normal circumstances Pacific seasonal workers do not have access to public income support and their ability to work is often subject to seasonal variability and weather conditions. Workers have long expressed frustrations when weather or other conditions have resulted in working fewer hours than expected and a resultant drop in income (Kautoke-Holani, 2018; Petrou and Connell, 2018). These issues were further exacerbated in the context of COVID-19 with border closures and national lockdowns affecting the availability of work, as during the pandemic workers in both countries were unable to access government support.

Whilst the financial impacts of the pandemic on Pacific workers varied, data suggests that I-Kiribati workers were among the most affected by COVID-19. Early on during the pandemic around eighty percent of all Kiribati seasonal workers on both schemes experienced lower earnings compared to other Pacific workers, with a 54.9 per cent reduction in total earnings (Doan et al., 2020). Consequently, I-Kiribati workers were not able to save as much as they would during a normal season and had to cut down on their own living expenses. Remittances sent home from Kiribati also significantly dropped with a 54.8 per cent and 41.4 per cent decrease in remittances sent from SWP and RSE respectively. The long processing times it took for visa extensions or variations in employment to be approved meant that many Kiribati workers were stuck without work, unable to earn money during this time. I-Kiribati SWP workers and diaspora communities in Australia noted that government financial support would have been invaluable at the time (Petrou et al., 2021).

In response to these challenges in New Zealand, the Department of Internal Affairs (DIA) in association with the New Zealand Red Cross launched an assistance program for migrants, including RSE workers, experiencing serious hardship due to COVID-19. This program made in-kind support available to cover essential costs such as rent, utility bills or food. RSE workers without work or with insufficient hours to meet their expenses were eligible to apply, and assistance was paid directly to the RSE employers based on the living costs they deduct from workers. This was a significant initiative to support workers, enabling them to retain their savings and remittances to families at home.

In the Australian context, no federal support packages were made available to seasonal workers however there was a range of state-based support measures, often with the assistance of the Red Cross (NZ Red Cross, 2021). Key financial support for SWP workers came from employers, community and diaspora groups, and in some cases family members at home were sending money to support workers. Workers were however able to access up to AUD10,000 (approximately USD7,000) of their superannuation fund, which under normal circumstances they cannot access until the end of their contract.

REPATRIATION

Temporary labour schemes operate and rely on a context in which the mobilities of workers from their destination to host countries remains unrestricted. Since the pandemic started, one of the most significant and complex aspects of Pacific labour mobility has been the repatriation of seasonal workers. Repatriation has been easier for countries where commercial flights are available and, in some cases, both New Zealand and Australia have led repatriation efforts. However, the biggest challenges with repatriations lie on the Pacific end with reduced commercial flights and limited capacity to handle large arrival numbers who must be kept in quarantine between fourteen and twenty-eight days.

For Kiribati workers since the restart of the SWP, there has been a limited number of flights available for workers to return home. As each new group of workers is flown into Australia, existing Kiribati workers who are at the end of their contract can return home on the outbound flight. In the New Zealand context, as at September 2021, no Kiribati workers have

been repatriated home. For the 286 I-Kiribati workers who entered New Zealand before the pandemic hit there is still no viable pathway home. There are no direct commercial flights between New Zealand and Kiribati, so the only possible pathway home for Kiribati workers was through Fiji. However, this option presented high risk and uncertainty as “returning to Kiribati through Fiji meant seasonal workers had to spent about a month in MIQ (managed isolation and quarantine) – two weeks in Fiji and then another two weeks in Tarawa – at their own expense”(Bedford and Bedford, 2021). Wait times in Fiji were also uncertain, as seasonal workers would have had to wait for a charter flight to Kiribati, and were considered low priority compared to other Government officials and citizens returning home.

Much effort has been undertaken to negotiate a route home for stranded Kiribati workers who want to return home. New Zealand’s Ministry of Foreign Affairs and Trade (MFAT) has explored using New Zealand Defence Force (NZDF) assets to return I-Kiribati workers as well as chartering a flight. However, questions around who would front these costs have hampered any further efforts. The place of RSE workers remains uncertain, and according to Bedford and Bedford (2021), the view held by Kiribati officials is that I-Kiribati RSE workers are better placed in New Zealand, where they can be employed full-time and continue to earn an income. However, for Kiribati workers stranded in New Zealand an extended stay has highlighted some of the complexities of pastoral support and welfare needed for seasonal workers, particularly regarding sexual and reproductive health.

SEXUAL AND REPRODUCTIVE HEALTH AND RIGHTS

During the pandemic, longer stays in destination countries have revealed implications relating to healthcare for female seasonal workers. A key issue arising out of the elongated stay for I-Kiribati RSE women, has included maternity protection and access to sexual and reproductive health services. While SRH needs and vulnerabilities are common to both men and women seasonal workers, in the absence of adequate social protection, pregnancy and childbirth directly affect women’s livelihoods. Furthermore, some sexually transmitted infections may have a more severe impact on women than men, and women are more likely to be subjected to sexual violence (Freeman et al., 2021).

Bedford et al's (2021) research highlighted that for the I-Kiribati women stuck in New Zealand there has been an increase in sexual transmitted infections and six reported pregnancies among the group of forty-seven women, all of whom have now given birth in New Zealand. In previous years, if an RSE woman discovered she was pregnant she would be supported to return home to give birth. With COVID-19, this has not been possible, and five I-Kiribati women have had to give birth in New Zealand. Under normal circumstances, RSE workers are not able to access New Zealand's public health system free of charge. Instead, workers are covered by mandatory medical insurance, which is deducted weekly or fortnightly from their pay. RSE medical insurance does not cover pregnancy and childbirth costs. These costs can exceed NZD 9,000 (approximately USD 6,000) and have fallen directly on these women. Whilst education and the promotion of sexual health has been attempted in these schemes (Bailey, 2020), discussions about sexual health are often avoided for several reasons: cultural, religious, or perceived to be too personal to discuss. Yet, discussions are essential as sexual relationships do occur during seasonal worker's contracts, and directly affect women seasonal worker's livelihoods. Whilst greater awareness and educations around sexual health is paramount, so too is culturally appropriate access to sexual and reproductive health services.

This raises some serious questions around the design of these schemes and the inequities they produce in terms of the ability for women to participate fully. Low numbers of women participating in these schemes have often been discussed and government agencies in host counties continue to place emphasis on identifying ways for women to be more included in these schemes. It is important, however, that such efforts do not become a matter of simply improving the gender balance in seasonal worker statistics. Kagan's (2016) study called for a greater focus on women migrants experiences within policy and research relating to temporary migration for Kiribati women involved on cruise ship employment, particularly in regard to sexual and reproductive health. It is clear from the similar experiences of I-Kiribati women RSE workers that these gendered aspects have not been fully incorporated into PLM. The findings have confirmed the need for more appropriate sexual and reproductive health education and access, as well as a greater recognition of women's rights and labour rights.

OTHER SUPPORT MEASURES

In October of 2020, the federal Australian Government announced the Pacific Labour Mobility Safeguarding the Welfare of Workers package. Key features of this included investing in AUD9 million (approximately USD6.5million) to support the Seasonal Worker Program and welfare of Pacific and Timorese workers. A joint ministerial media release on 9 October 2020 stated that as part of this new budget funding the package ‘will support up to 19 Pacific Labour Mobility Officers across Australia to support the welfare of seasonal workers and to establish direct links with participating employers’ and notes that ‘these officers will provide an on-ground presence to identify issues early and resolve them quickly’ (DFAT, 2020). However, it is unclear what role these officers will play and where they will be located. Whilst it is too early to ascertain the effectiveness of this funding for protecting the welfare of seasonal workers, as Petrou and colleagues (2021) mention this funding provides an opportunity to think about how the wellbeing of workers can be better supported.

POLICY OUTCOMES: BUSINESS AS USUAL OR MORE TRANSFORMATIVE PATHWAYS FOR PACIFIC LABOUR MOBILITY?

The spread of the pandemic has magnified some of the longstanding issues of Pacific labour mobility, bringing into sharper focus the inequities within the triple win framework, aspects of seasonal work that give rise to exploitative worker conditions and the ignored gendered aspects of seasonal work. Economic imperatives continue to frame Pacific seasonal workers as units of labour, essential to the horticulture and agriculture industries of Australia and New Zealand but lacking the full realisation of rights and entitlements of local citizens in these countries. This was seen in Australia where a key emphasis on the country’s COVID-19 response has been to ensure that critical labour shortages in agriculture and horticulture are filled (Askola, 2021). This saw a restart of the SWP programme in August 2020, well before a vaccine was made available and the opening of international borders. Major reforms saw the existing SWP and PLS streamlined into what is now the Pacific Australian Labour Mobility (PALM) scheme, a key purpose of this reform being to make it easier for employers to access workers. Also of concern to many, the Australian Government also introduced a new, less regulated agriculture visa for ASEAN countries, sparking fears that this new

agricultural visa will side-line opportunities for Pacific workers, as well as create further conditions for worker exploitation.

Despite these efforts to reopen and expand PLM, the situation for seasonal workers has largely remained the same, if not worse. Reports of poor employment practices are still occurring in Australian and New Zealand industries (Hermant, 2020; Howes, 2020). This has been further heightened by figures suggesting 1,181 seasonal workers in Australia ‘absconded’ in 2021, substantially up from the 225 recorded the year before. Rather than addressing the characteristics of PLM that cause workers to abscond, the Australian Government has launched a campaign that places the blame of absconding on the workers themselves (Kelly, 2021).

Rather than any transformative policy changes take place, there has simply been an extension of pre-COVID visa conditions. Stranded I-Kiribati seasonal workers have now been working, almost continuously, for over eighteen months with possibilities for returning home remaining low. Whilst visa extensions allow I-Kiribati workers to remain in the country legally, what rights do these workers have if they do not wish to continue working at the end of their contracts? Efforts to expand the rights workers currently have, for example to include their families, to be able to move into other work or to be provided with pathways for permanent residency remains uncertain. In New Zealand, the government introduced a one-off pathway to residency for several temporary work visas which was welcomed by many temporary migrants living in uncertainty. Yet, despite the hundreds of I-Kiribati workers and many other RSE workers still stranded in New Zealand, RSE workers have been excluded from this pathway.

Perhaps where a lack of transformative policy has been most apparent has been through the experiences of six pregnant I-Kiribati women employed on the RSE scheme. Gendered aspects of seasonal work have long been ignored. The male breadwinner bias works to create an assumption that the ideal seasonal worker is unencumbered by sexual and reproductive health issues, and thus appropriate sexual and reproductive services have continued to ignore how these issues can create more vulnerable situations for women, than for men. For the six pregnant I-Kiribati workers, the pregnancy costs fell on the women themselves as this was not covered under their mandatory health insurance. Whilst employers and diaspora community groups covered most of these costs and provided essential support to these

women, the RSE policy did little to protect their wellbeing. There is an urgent need for labour mobility schemes to fully consider the lived experiences and perspectives of seasonal worker women in order for policy to better reflect and address these issues. This is particularly pertinent as both schemes are looking to address the gender balance of workers.

There were also some positive and hopeful aspects of PLM that come out of the pandemic which must also be acknowledged. Whilst RSE workers have been excluded from the one-off pathway to residency, New Zealand's changes to the RSE policy to allow more RSE workers into the country have come with positive benefits to the welfare of all seasonal workers, including those who have not been able to return home. Employers must now pay their workers NZD 22.10 (approximately USD 15) per hour which is higher than the current minimum wage, for the duration of their contracts (Bedford, 2021). This living wage is a great step in the right direction for valuing the work of seasonal workers. The situations of stranded Kiribati workers, and indeed Pacific seasonal workers as a whole, also highlighted the important role that employers and diaspora community groups play in supporting seasonal workers. For Kiribati workers who were stranded, unable to return home, diaspora communities have played a major role in providing pastoral and at times financial support for workers (Petrou et al., 2021; Bedford, 2021). This was seen with six pregnant Kiribati workers who have given birth in New Zealand. Members of the diaspora Kiribati community rallied to support these women and their babies, with some housing new mothers and have continued to offer support. The importance of Pacific diaspora groups provides an opportunity to rethink worker wellbeing in PLM, incorporating cultural and holistic models of Pacific health into these schemes. Furthermore, employers must also be acknowledged for the pastoral support they have given to stranded Kiribati workers, often beyond their contractual obligations (Bedford, 2021; Bailey, 2020).

CONCLUSION

This paper has sought to examine the way Kiribati labour migration schemes were affected by COVID-19 and secondly, the implications of Australian and New Zealand government responses to overcome these impacts. The pandemic magnified the existing inequities and vulnerabilities of Kiribati seasonal workers on these schemes. In particular, the pandemic highlighted that although Pacific Labour Mobility provides ‘triple-wins’ to those involved, these wins are uneven between the sending and receiving countries, and given the colonial history, they are subjected to the racialised nature of these colonial relationships and the utilitarian role of seasonal migrant labour programs to serve the needs of the destination countries at the expense of migrant temporary workers.

The pandemic highlighted the value of seasonal workers to the agriculture and horticulture industries of Australia and New Zealand, yet despite an increase in wages for RSE workers, this has not corresponded to any further changes in policies to better reflect the value of Pacific workers. The experiences of six pregnant I-Kiribati seasonal workers, made glaringly obvious the gendered dynamics of seasonal work and the lack of recognition of women's rights in labour mobility schemes to adequate access to sexual and reproductive health services, which reinforces gender inequality in healthcare as they are not protected by national insurance systems and have to pay for maternity expenses. Furthermore, the gendered and social reproduction implications for households and communities left behind continue, particularly for those households who have now had to deal with the prolonged absence of a primary caregiver.

Whilst the pandemic has been framed as being a portal to a new normality (Roy, 2020), relying on hypotheses proposed by DAWN’s analytical framework (Llavaneras Blanco and Cuervo, 2021) this paper argues that responses in the aftermath of COVID-19 indicate that PLM policy remains ‘business as usual’ as they did not deliver substantial changes in terms of improvement of the worker’s migrant status, labour rights and the gendered aspects of seasonal work. However, despite the stagnant PLM policy landscape, the pandemic has highlighted some positive aspects that could inform policy responses in future. The pandemic highlighted the important role of diaspora community groups. The support that diaspora

groups have continued to provide seasonal workers throughout the pandemic provides opportunities to rethink support for the welfare of Kiribati and other Pacific seasonal workers and could play a more transformative role looking forward. Furthermore, in the context of New Zealand, a permanent increase in the wages for seasonal workers has been applauded as a step in the right direction for a proper valuing of the work seasonal workers perform. With major reforms occurring in Australia, now is the time for policy makers to consider these aspects, as well as the other challenges facing seasonal workers highlighted in this paper, particularly around more flexible visa arrangements for workers, gendered implications of seasonal work and fairer working conditions.

DRAFT for discussion

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ENDNOTES

ⁱ Kiribati has also been long engaged in seafaring. Many I-Kiribati nationals are employed on foreign fishing vessels and the remittances sent home make a larger contribution in comparison to Pacific Labour Mobility. There has been extensive research on Kiribati seafarers by Maria Borovnik. However, for the purposes of this paper I am solely focusing on PLM schemes in the COVID-19 context.

ⁱⁱ In 2020, personal remittances received in Kiribati made up 9.5% down from 10.13% the previous year (World Bank, 2020)

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