



We investigated **54 businesses**
between **Southport** and **Broadbeach**
on the Gold Coast in December 2020



88% non-compliant with workplace laws



\$215,707

recovered for **446**
employees from
31 businesses



Recoveries from
individual businesses
ranged from
\$153 to **\$20,333**

\$ **59%** (**26**) didn't pay staff correctly

\$ **23%** (**10**) didn't meet pay slip and record-keeping requirements

\$ **18%** (**8**) breached both monetary and non-monetary obligations

Fair Work Inspectors issued:

35

Compliance
notices

\$215,707 back paid
to **446** employees

12

Infringement
notices

\$9,282 paid in fines

3

Contravention
letters

Gold Coast food precinct

What we did & why

In December 2020, the Fair Work Ombudsman (FWO) investigated 54 businesses operating between Southport and Broadbeach on the Gold Coast.¹

This activity formed part of a program examining non-compliance in popular ‘cheap eats’ food precincts that commenced in 2016.²³⁴ Fast food, Restaurants and Cafés (FRAC) sector businesses within these precincts typically employ a high proportion of young and migrant (temporary visa holder) workers. These workers can be vulnerable to exploitation, due to a lack of awareness or understanding of their entitlements, and an unwillingness to raise concerns with their employer or the FWO.

We targeted businesses deemed to be at risk of non-compliance, based on one or more of the following characteristics:

- a history of non-compliance with the FWO
- anonymous tip offs received about the business
- employing vulnerable migrant workers (confirmed using Home Affairs data).

Fair Work Inspectors conducted unannounced site visits over 5 days. They:

- requested employment and payroll records
- interviewed employers, managers and workers
- observed work practices
- noted staff numbers to validate business records.

Pay slips and record-keeping practises were assessed against the requirements of the *Fair Work Act 2009*, the *Fair Work Regulations 2009*, and applicable awards or registered agreements. Most businesses were covered by the *Restaurant Industry Award 2010* or *Fast Food Industry Award 2010*.

From these visits, 50 matters were deemed suitable for further investigation.

¹ [Gold Coast eateries face workplace audits - Media releases - Fair Work Ombudsman](#)

² [Over 1.2 million recovered for food and retail workers - Media releases - Fair Work Ombudsman](#)

³ [Over \\$300 000 returned to fast food, restaurant and café workers - Media releases - Fair Work Ombudsman](#)

Our findings

44 (88%) of the 50 businesses investigated had breached workplace laws. Of those:

- 26 (59%) were not paying staff correctly
- 10 (23%) were non-compliant with pay slip and record-keeping requirements
- 8 (18%) breached both their monetary and non-monetary obligations.

The most common breaches were:

- failure to pay penalty rates – 22 businesses (50%)
- underpayment of the minimum hourly pay rate – 8 (18%)
- failure to make and keep employee records – 4 (9%)
- failure to pay correct allowances – 2 (5%).

35 businesses (70%) were found to be employing migrant workers.

Actions taken & next steps

We recovered \$215,707 for 446 employees from 31 businesses. Recoveries from individual businesses ranged from \$153 to \$20,333.

Fair Work Inspectors issued:

- 35 compliance notices (to 31 businesses) recovering \$215,707 for 446 employees
- 12 infringement notices, resulting in \$9,282 paid in fines
- 3 contravention letters to businesses that did not issue part-time staff with written agreements.