

SA – Royal Adelaide Show Campaign 2010

Final Report March 2011

Summary

In September 2010 the Fair Work Ombudsman (FWO) conducted the Royal Adelaide Show Campaign 2010. Employers at the show received educational visits several days prior to having their records assessed for compliance with record keeping obligations and employee wage entitlements.

Of the 188 businesses audited, 89 (47%) were found to be compliant and 98 (52%) in contravention. One employer remains under investigation for suspected contraventions. The majority of contraventions identified related to non compliance with record keeping obligations however, one employer was found to have underpaid 2 staff a total of \$730. All employees identified as having a contravention voluntarily rectified the contraventions.

Background

The Royal Adelaide Show (the show) attracts approximately 500,000 members of the public each year. There are numerous contractors and sub contractors who hire short term staff for the duration of the Royal Adelaide Show. Many of the hired staff are young workers and therefore considered to be vulnerable. In addition many of the contractors and sub contractors are transient employers.

The campaign was implemented as a follow up to the previous year's Royal Adelaide Show Campaign. The 2009 Royal Adelaide Show Campaign found 13 (28%) employers to be in contravention. Specifically 7 of these employers had record keeping contraventions and 5 employers had monetary contraventions. In excess of \$7000 was recovered for 69 employees as a result of the Royal Show 2009 Campaign. Given the results, a follow up campaign of employers operating at the show was implemented.

Campaign aim and objectives

The aim of the campaign was to ensure employers at the Royal Adelaide Show 2010 were meeting their obligations with regards to time records, issue of payslips and the payment of the correct hourly rate, for the work being performed by short term staff at the show.

The specific objectives for the audit were to:

- Educate employers on record keeping obligations and minimum hourly rates payable under the relevant industrial instrument;
- Audit the employer's compliance with the record keeping regulations and minimum hourly rates of pay
- Increase FWO's presence within the show community

Stakeholder involvement

Prior to undertaking the audits, we contacted The Royal Agricultural and Horticultural Society of SA Inc and Michael O'Brien Catering to advise them of the campaign. Both were fully supportive of the audit and supplied us with a list of retailers and food and beverage businesses that would be trading at the show.

On 1 and 2 September 2010 we were provided the opportunity to address food and beverage contractors of Michael O'Brien Catering during their induction meeting. We advised the contractors of the campaign and our intention to audit their books. We also handed out information packs containing fact sheets on the requirements for time record keeping and pay slips obligations. All businesses were advised that they could seek further compliance information from our website and Infoline.

Methodology

Between 3 and 11 September 2010 Fair Work Inspectors (FWIs) in addition to conducting individual employer educational visits, audited employers record keeping and pay slip practices. Where record keeping and pay slip contraventions were identified employers were asked to sign a form, committing them to rectifying the contravention.

In instances where FWIs suspected monetary contraventions, employers had their records returned to the FWO office for further assessment.

Results

Analysis of our results on 22 March 2011 showed that we had finalised 187 of the 188 audits. One employer is under further investigation for suspected contraventions. Of the 187 finalised audits, 89(48%) employers were found to be compliant and 98 (51%) in contravention.

The majority of the contraventions identified related to either payslips not containing correct content as prescribed by the *Fair Work Regulations 2009* or time sheets not maintained accurately. One employer was found to be underpaying his employees and a total of \$730 was recovered for two employees. All employees voluntarily rectified the identified contraventions.

Results of audits	
Targeted	188
Finalised	187
• Employers compliant	89 (48%)
• Employers in contravention (record keeping/payslip)	97 (51%)
• Employers in contravention (monetary contraventions)	1 (1%)
Outstanding	1
Money Recovered	\$730
Employees Paid	2

Comparing our findings to those of last year's Royal Adelaide Show Campaign, indicates that there has been a significant increase in the number of record keeping

and pay slip contraventions and a reduction in employers identified as having monetary contraventions. However it should be noted that given the transient nature of employers, the employers who traded at the 2009 did not necessarily do so at the 2010 show.

Conclusion

Conducting a follow-up audit at the Royal Adelaide Show provided valuable insight into the value of undertaking audits at this annual event. Although many different employers trade at the show each year, there is evidence to suggest that transient employers are either not familiar with or taking their workplace obligations seriously, especially in terms of record keeping and pay slip obligations.