

Workplace audits indicate room for improvement for small businesses in the Kimberley

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Spot checks of several small businesses in Broome in Western Australia's Kimberley region have recovered \$8643 in owed wages for local workers.

Fair Work Inspectors audited the records of seven businesses in the hair and beauty, retail, fast-food and healthcare sectors, finding only two of those businesses to be fully compliant with their workplace obligations.

Four businesses were found to be incorrectly paying workers and two had failed to comply with record keeping and payslip requirements.

Fair Work Ombudsman Natalie James said the underpayments were a result of businesses misclassifying workers under the wrong award and failing to pay relevant penalty rates.

Some business owners said they were surprised to be informed that they were not meeting their pay and record keeping obligations because their employees had never complained.

"These cases highlight the importance of employers keeping informed of their obligations, including by undertaking their own checks of award provisions to ensure they are meeting their employees' minimum lawful entitlements," Ms James said.

In total, \$8643 was recovered for 25 workers, with \$2402 the highest amount recovered for an individual worker. All underpayments were promptly rectified.

"When we find genuine mistakes, our approach is to educate employers about their obligations and assist them to put processes in place to ensure errors are not repeated," Ms James said.

"Our aim is to build a culture of compliance where businesses understand and comply with their lawful obligations.

"However, where employers are found to have deliberately and knowingly contravened workplace laws, we will pursue them to the full extent of the law."

Ms James emphasised that her agency has a range of resources available to assist small businesses to understand and comply with their pay and record-keeping obligations.

"We recognise the contribution that small businesses across remote and regional Australia make to their communities by creating opportunities for workers," Ms James said.

"We want all employers across Australia to know that, no matter where they are, we are here to help."

Tools to assist employers to understand and comply with workplace laws are available at www.fairwork.gov.au.

Resources include a Pay and Conditions Tool (PACT) that employers can use to determine the pay rates applicable to their employees, including base pay rates, allowances, overtime and penalty rates.

Information on the website is available in 30 languages.

Employers and employees seeking assistance can also call the Fair Work Infoline on 13 13 94. An interpreter service is available on 13 14 50.

Small business operators can ask for the priority Small Business Helpline.

The Fair Work Ombudsman also recently released a new smart phone app, Record My hours, which uses geofencing technology to help workers keep an automatic diary of the hours they spend at work. The app is available for free from both Apple and Android app stores and from the Fair Work Ombudsman website.

Follow Fair Work Ombudsman Natalie James on Twitter @NatJamesFWO [ⓧ](http://twitter.com/NatJamesFWO) (<http://twitter.com/NatJamesFWO>), the Fair Work Ombudsman @fairwork_gov_au [ⓧ](http://twitter.com/fairwork_gov_au) (http://twitter.com/fairwork_gov_au) or find us on Facebook www.facebook.com/fairwork.gov.au [ⓧ](http://www.facebook.com/fairwork.gov.au) (<http://www.facebook.com/fairwork.gov.au>).

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Fair Work Online: www.fairwork.gov.au

Fair Work Infoline: 13 13 94

Need language help?

Contact the Translating and Interpreting Service (TIS) on 13 14 50

Hearing & speech assistance

Call through the National Relay Service (NRS):

For TTY: 13 36 77. Ask for the Fair Work Infoline 13 13 94

Speak & Listen: 1300 555 727. Ask for the Fair Work Infoline 13 13 94

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