

Joint campaign by FWO and ASIC proves a success

12 January 2017

The Fair Work Ombudsman has recovered almost \$40,000 for underpaid Brisbane workers as part of a joint campaign with Australian Securities and Investments Commission (ASIC).

The campaign involved Fair Work Inspectors and ASIC analysts visiting 46 businesses in Brisbane's CBD, Fortitude Valley, South Brisbane and West End in May last year.

Fair Work Inspectors found 32 of the 46 businesses (70 per cent) were fully compliant with their obligations under the Fair Work Act.

Of the 14 businesses (30 per cent) with contraventions, six (13 per cent) were found to have underpaid 30 employees a total of \$39,526, while the other non-compliant businesses had made errors relating to record-keeping and/or pay slips.

The biggest underpayment occurred at a café that short-changed 12 employees a total of \$20,600 as a result of underpaying their minimum hourly rates and penalty rates over a 12-month period.

Inspectors issued the business with two infringement notices (on-the-spot fines) totalling \$1800 and a Compliance Notice requiring prompt back-payment of employees.

Fair Work Inspectors also issued \$180 infringement notices to two other businesses with significant record-keeping and pay slip contraventions and issued formal cautions to two other businesses, including one to a restaurant that had underpaid nine employees a total of \$4170.

All businesses with underpayment issues agreed to promptly back-pay employees in-full after being educated by Fair Work inspectors.

ASIC Analysts reported finding no significant deficiencies in financial records of any businesses.

It was the first time the Fair Work Ombudsman and ASIC have conducted a joint campaign.

The joint campaign was conducted in order to minimise the time impact on small businesses, which would otherwise face separate visits from the two Agencies.

Many businesses were randomly selected for visits but there was a focus on businesses with first-time company directors, to ensure they understood their lawful obligations from an early stage.

Educating businesses was a key focus of the campaign, with Fair Work Inspectors providing businesses with advice about minimum pay rates and their record-keeping and pay slip obligations and ASIC analysts speaking to new directors about their obligations as company office holders.

Both agencies received positive feedback from businesses and will look for opportunities to conduct further joint activities in future.

Fair Work Ombudsman Natalie James says new businesses should take steps to ensure they develop good compliance habits from an early stage.

"We strive to make accessing information and resources as easy as possible to help employers get the basics right as efficiently as possible and build a culture of compliance," Ms James said.

Resources available at www.fairwork.gov.au include templates for pay slips and time-and-wages sheets and tools for calculating the minimum pay rates that apply to employees. Employers and workers can also call the Fair Work Infoline on 13 13 94 for free advice and assistance.

Follow Fair Work Ombudsman Natalie James on Twitter [@NatJamesFWO](https://twitter.com/NatJamesFWO) (<http://twitter.com/NatJamesFWO>), the Fair Work Ombudsman [@fairwork_gov_au](https://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>).

Sign up to receive the Fair Work Ombudsman's media releases direct to your email inbox at www.fairwork.gov.au/mediareleases (www.fairwork.gov.au/mediareleases).

Media inquiries:

Bryan Littlely, Assistant Director, Media

Mobile: 0447 692 007

bryan.littlely@fwo.gov.au (<mailto:bryan.littlely@fwo.gov.au>)

Page reference No: 6873

Contact us

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

The Fair Work Ombudsman is committed to providing advice that you can rely on. The information contained on this website is general in nature. If you are unsure about how it applies to your situation you can call our Infoline on 13 13 94 or speak with a union, industry association or workplace relations professional. Visitors are warned that this site may inadvertently contain names or pictures of Aboriginal and Torres Strait Islander people who have recently died.