

Muffin Break and Jamaica Blue make a public commitment to compliance with workplace laws

13 March 2017

One of Australia's leading businesses in the café sector has made a public commitment to ensure compliance with workplace laws across its 300 plus outlets by partnering with the Fair Work Ombudsman.

Foodco Group Pty Ltd has entered into a compliance partnership with the Fair Work Ombudsman by signing a Proactive Compliance Deed which covers about 3000 workers nationwide through its franchisees under the Muffin Break and Jamaica Blue café brands. This partnership will complement Foodco's current internal focus and audit programs.

The two-year deed includes a commitment by Foodco to undertake a self-audit of its compliance with workplace laws, certified by an agreed independent third party, across 10 per cent of franchisee sites and report the results to the Fair Work Ombudsman.

There are 212 Muffin Break and 126 Jamaica Blue sites across Australia, with most operated by franchisees.

Foodco, a member of the Franchise Council of Australia, made the approach to enter into a Compliance Deed last year after Deputy Fair Work Ombudsman Michael Campbell had written to a number of council members inviting them to consider compliance partnerships with the Fair Work Ombudsman.

Fair Work Ombudsman Natalie James said Foodco should be applauded for its commitment to setting a standard to ensure its extensive network has the processes and training in place to meet their obligations under workplace laws.

"In this case, Foodco has approached the FWO seeking assistance and advice on how to prevent the exploitation of its workforce rather than reacting to issues after they have occurred. As the industry regulator, we always welcome initiatives that promote workplace compliance," Ms James said.

"The decision Foodco Group has taken to enter into a compliance partnership says this brand is keen to commit to its workers, its shareholders and its customers that it believes compliance with Australia's workplace laws is a priority.

"My Agency looks forward to working with another leading brand in the fast food and restaurant industries to promote a culture of compliance and encourage fair, harmonious and cooperative workplaces," Ms James said.

As part of the deed, Foodco will provide to my Agency details of the systems and processes it has in place, or will implement, to assist franchisees to be compliant.

Under the Compliance Deed, Foodco will also:

- communicate the existence of the deed to its employees, franchisees and their employees
- appoint an Employee Liaison Officer who will be the contact for any queries Foodco and franchisee staff have about their conditions of employment. This officer's contact details will be provided to all franchisee employees
- Provide the FWO with details of workplace relations training provided to their managers and franchisees.
- Register with 'My Account' through the Fair Work Ombudsman website and encourage its franchisees and their managers at each location to also set up an account. This will provide easy-to-access details of relevant workplace laws and updates
- encourage its franchisees and their managers to undertake the FWO online learning modules covering 'Difficult conversations in the workplace', 'Hiring employees' and 'Managing performance'
- provide a report to the FWO outlining actions taken to comply with the deed after one year and at the conclusion of the deed.

The Fair Work Ombudsman has previously entered into two Enforceable Undertakings with Muffin Break franchise operators, one in 2014 and the other with a former operator in 2016.

Under the partnership, any routine enquiries or requests for assistance that the FWO receives involving Foodco or its franchisees will be referred to Foodco in the first instance for self-resolution. Foodco will provide the FWO with evidence that any matters have been resolved or provide a report if the matter is unable to be resolved.

As with all compliance deeds the FWO reserves its right to investigate any request for assistance where there is an allegation of serious non-compliance or it is in the public interest.

"Compliance partnerships are an initiative we have introduced for Australian companies who want to engage with us to demonstrate

not only to their employees but the Australian public that they take their workplace responsibilities seriously,” Ms James said.

“With the government committing to new laws to enhance franchisor responsibility for workplace entitlements, I call on all franchises to follow the lead of Foodco and consider what steps they might take to ensure their network is compliant. We are happy to work with any business that wants to take responsibility for compliance with workplace laws in its supply chain or network.”

Serge Infanti, Foodco’s Managing Director, commented: “We are, as always, committed to promoting harmonious, productive and cooperative workplaces and firmly believe this partnership will have a positive impact on our employees, our customers and our brands’ reputation within the community.”

In recent years, Compliance deeds have been signed with other national brands who are committed to enhancing compliance with workplace laws, including McDonald’s and Chemist Warehouse.

Employers and employees who have any uncertainty or questions about their workplace rights and obligations are encouraged to visit the Fair Work Ombudsman website at www.fairwork.gov.au or call the Fair Work Infoline on 13 13 94 for advice.

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) .

Download the [Foodco Group Pty Ltd Proactive Compliance Deed \(DOCX 212.4KB\)](http://www.fairwork.gov.au/ArticleDocuments/762/foodco-pcd.docx.aspx) (www.fairwork.gov.au/ArticleDocuments/762/foodco-pcd.docx.aspx) (PDF 4.8MB) (www.fairwork.gov.au/ArticleDocuments/762/foodco-pcd.pdf.aspx)

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