

## NT domestic violence refuge commits to change after underpaying its staff \$50,000

8 February 2018

A Northern Territory refuge for women and children victims of domestic violence has back-paid 11 employees a total of more than \$50,000, after intervention by the Fair Work Ombudsman.

The not-for-profit Tennant Creek Women's Refuge has committed to overhaul its workplace practices after inadvertently underpaying the all-female staff, who worked in crisis accommodation, counselling and outreach roles.

Fair Work Ombudsman inspectors conducted a self-initiated audit of the organisation last year as part of a regional campaign in Alice Springs and the Barkly Region of the Northern Territory.

Inspectors found the refuge had paid 11 full-time and casual employees flat hourly rates of between \$26.75 and \$37.79, which undercut some employees' minimum ordinary hourly rates and resulted in underpayment of the higher rates they were entitled to for weekend and shift work.

The 11 employees were underpaid a total of \$50,664 between July 2015 and June 2016.

The largest individual underpayment was \$14,374 of a crisis accommodation support worker who had received a flat rate of \$34 for all hours worked.

Under the Social, Community, Home Care and Disability Services Award 2010 at the time, the worker was entitled to hourly rates of up to \$40.87 for day shifts, up to \$45.78 for night shifts, up to \$49.05 on Saturdays and up to \$65.40 on Sundays.

Tennant Creek Women's Refuge fully co-operated with the investigation, agreeing to back-pay the employees in full and enter into an Enforceable Undertaking (EU) with the Fair Work Ombudsman focussed on future compliance.

Under the EU, the organisation must commission an external audit of its compliance with workplace laws across two financial years and rectify any contraventions found.

It must also commission training on workplace laws for managerial staff, display workplace and newspaper notices detailing the contraventions and apologise to the workers.

The organisation must also advise all the entities which fund it that it has entered into the EU and register with the Fair Work Ombudsman's My Account online portal.

Fair Work Ombudsman Natalie James says the underpayments were inadvertent and the result of the refuge not being fully aware of its obligations under workplace laws.

"This case highlights the importance of all employers ensuring they are fully aware of the minimum entitlements that apply to their employees," Ms James said.

"We are committed to helping employers rectify their non-compliance issues, but business operators need to make an effort to get the basics right in the first place."

Employers and employees can seek assistance at [www.fairwork.gov.au](http://www.fairwork.gov.au) or contact the Fair Work Infoline on 13 13 94. A free interpreter service is available on 13 14 50.

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Download the [Tennant Creek Womens Refuge Inc. Enforceable Undertaking \(DOCX 141.6KB\)](http://www.fairwork.gov.au/ArticleDocuments/1187/tennant-creek-womens-refuge-eu-redacted.docx.aspx) ([www.fairwork.gov.au/ArticleDocuments/1187/tennant-creek-womens-refuge-eu-redacted.docx.aspx](http://www.fairwork.gov.au/ArticleDocuments/1187/tennant-creek-womens-refuge-eu-redacted.docx.aspx)) (PDF 1.4MB) ([www.fairwork.gov.au/ArticleDocuments/1187/tennant-creek-womens-refuge-eu-redacted.pdf.aspx](http://www.fairwork.gov.au/ArticleDocuments/1187/tennant-creek-womens-refuge-eu-redacted.pdf.aspx))

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Fair Work Infoline: 13 13 94

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