

## Increased compliance but still room for improvement among Northern Territory businesses

9 February 2018

Audits of 38 businesses in Alice Springs and Tennant Creek have found that there is still some way to go in ensuring that businesses in the region are complying with workplace laws.

The Fair Work Ombudsman today released the findings of its latest proactive compliance and education campaign in the region, with 61 per cent of businesses audited found to be fully compliant with their workplace obligations.

The audits also found that 87 per cent of businesses were compliant with pay slip and record-keeping requirements and 66 per cent were paying their employees correctly.

The Fair Work Ombudsman undertook the audits after a previous campaign in Alice Springs found only 40 per cent of businesses to be compliant with workplace laws.

Fair Work Ombudsman Natalie James said that while the higher compliance rate is encouraging, it is incumbent upon businesses to ensure that they are meeting all of their workplace obligations and paying their workers correctly.

“With so much information freely available to assist employers to comply with workplace laws, it is disappointing that over a third of businesses audited in this campaign were found to have breached their obligations,” Ms James said.

“We are aware that there is a high proportion of small businesses in this region who may lack ready access to professional support. My agency is here to help and I encourage small businesses to make use of the wealth of information and resources we have available.”

The campaign led to \$77,984.69 being recovered on behalf of 44 workers, with the Fair Work Ombudsman issuing two formal letters of caution and three infringement notices (on-the-spot fines).

In one case, a remote cattle station was fined \$1,800 for failing to keep records of hours worked by two casual employees. The business paid the employees by the day and also provided food, transport and accommodation but without records of hours worked the Inspector was unable to determine whether the workers had received their correct entitlements.

The Inspector provided the business with information on the relevant award, and the agency will revisit the business as part of follow-up activity in the future.

Of the total back-payments, \$50,664.69 was recovered under the terms of an Enforceable Undertaking (EU) between the Fair Work Ombudsman and the Tennant Creek Women’s Refuge ([www.fairwork.gov.au/about-us/news-and-media-releases/2018-media-releases/february-2018/20180208-tennant-creek-womens-refuge-eu-release](http://www.fairwork.gov.au/about-us/news-and-media-releases/2018-media-releases/february-2018/20180208-tennant-creek-womens-refuge-eu-release)) after it was found to have underpaid 11 employees.

Under the EU, the not-for-profit organisation has committed to overhaul its workplace practices, including by training managerial staff on workplace laws and commissioning an external audit of its workplace compliance across two financial years.

The agency also commenced litigation against David Mayne Pty Ltd (<http://www.fairwork.gov.au/about-us/news-and-media-releases/2018-media-releases/february-2018/20180206-david-mayne-litigation>), which trades as the Barkly Homestead, and its part-owner Andrew Mayne for underpaying 17 employees a total \$23,753 over a period of six months.

The respondents have admitted to the contraventions and the matter is listed for a penalty hearing in the Federal Circuit Court in Alice Springs on 13 March 2018.

Natalie James said she could not overemphasise the importance of businesses making themselves aware of their workplace obligations.

“Non-compliant businesses may find themselves liable for on-the-spot fines, hefty back-payment bills and, in the most serious cases, could face court action,” Ms James said.

“Where possible, we will work with businesses to assist them to understand their obligations and rectify any issues. However, when we find businesses that are making repeated, deliberate or systemic breaches we will not hesitate to escalate our enforcement action.

“With maximum penalties for certain workplace breaches recently increasing by up to ten-fold, non-compliant businesses may be exposing themselves to major consequences,” Ms James said.

Employers and employees seeking assistance can visit [www.fairwork.gov.au](http://www.fairwork.gov.au) or call the Fair Work Infoline on 13 13 94. An interpreter service is available on 13 14 50.

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Read the [NT Alice Springs - Barkly Regional Campaign Report \(www.fairwork.gov.au/reports/nt-alice-springs-barkly-regional-campaign-report\)](http://www.fairwork.gov.au/reports/nt-alice-springs-barkly-regional-campaign-report) (PDF 916.9KB) ([www.fairwork.gov.au/ArticleDocuments/1234/nt-alice-springs-barkly-regional-campaign-report.pdf.aspx](http://www.fairwork.gov.au/ArticleDocuments/1234/nt-alice-springs-barkly-regional-campaign-report.pdf.aspx))

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