

Southern ACT businesses on notice after campaign finds pay slip and wage rate breaches

31 January 2018

The Fair Work Ombudsman has today released the findings of its proactive compliance and education campaign targeting the Southern ACT region, with 69 per cent of businesses found to be fully compliant with their workplace obligations.

Fifty-two businesses in Phillip, Weston, Woden, Holder and Queanbeyan were audited during the campaign.

The campaign found 79 per cent of those businesses to be compliant with pay slip and record keeping requirements, while 83 per cent were paying their employees correctly.

Fair Work Ombudsman Natalie James said that the large proportion of requests for assistance her agency receives from young workers in the region was one of the reasons the campaign was initiated.

“While the national average of requests for assistance from young workers was around 24 per cent, in Woden the figure was 35 per cent and in Queanbeyan 44 per cent,” Ms James said.

“We know that young workers can be vulnerable in the workplace due to a lack of awareness of workplace rights and limited work experience.

“These figures prompted us to take a closer look to ensure that businesses in the region were meeting their workplace obligations. Unfortunately close to a third of the businesses we audited were not,” Ms James said.

“With the wealth of information freely available in relation to workplace rights and entitlements, there are no excuses for non-compliance.

“We are here to provide free advice and assistance to any business that needs it.”

Fair Work Inspectors issued two formal cautions and two compliance notices to non-compliant businesses. A total of \$27,054 was recovered on behalf of 28 employees.

In one matter, a small restaurant business was issued with a compliance notice after a Fair Work inspector identified underpayments totalling \$7,826 for its three employees.

The business engaged two of the workers on salaried agreements at rates insufficient to meet their entitlements under the relevant award, while the third worker was engaged as a casual and paid a below-award flat rate. The employer had also failed to keep a record of hours worked for all employees.

The employer fully cooperated with the Fair Work Ombudsman and back paid the workers in accordance with the compliance notice.

Natalie James said that her agency would follow up with non-compliant businesses to ensure that they were meeting their obligations in the future.

An [earlier compliance monitoring campaign in the ACT \(www.fairwork.gov.au/about-us/news-and-media-releases/2017-media-releases/december-2017/20171219-act-compliance-monitoring-campaign-mr\)](http://www.fairwork.gov.au/about-us/news-and-media-releases/2017-media-releases/december-2017/20171219-act-compliance-monitoring-campaign-mr) found that 60 per cent of previously non-compliant businesses had rectified their operations.

As a result of the earlier campaign the agency initiated litigation against two businesses for record-keeping breaches, with penalties of more than \$56,800 handed down against a café operator in one of the matters. The second matter remains before the court.

Ms James said that with a range of enforcement tools at its disposal, her agency considers each case on its merits in order to determine the most appropriate and effective response.

“Where possible, we will work with businesses to assist them to understand their obligations and rectify any issues,” Ms James said.

“However, businesses that are making repeated, deliberate or systemic breaches can expect to face serious enforcement action. The time for excuses is over.”

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

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) .

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Read the [Southern ACT Regional Campaign Report \(www.fairwork.gov.au/reports/southern-act-regional-campaign-report\)](http://www.fairwork.gov.au/reports/southern-act-regional-campaign-report) (PDF 935.6KB) (www.fairwork.gov.au/ArticleDocuments/714/southern-act-regional-campaign-report.pdf.aspx)

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