

Fair Work Ombudsman releases results of Darwin audits

8 June 2018

The Fair Work Ombudsman's proactive compliance and education campaign in Darwin has found that 54 per cent of audited businesses were non-compliant with their workplace obligations.

Fair Work inspectors checked the time-and-wage records of 54 businesses across Darwin city and suburbs including Parap, Larrakeyah and Winnellie.

The campaign was commenced in response to higher numbers of requests for assistance from these suburbs in the years preceding the audits.

Overall, 29 businesses audited during the campaign were found to have committed at least one workplace breach.

Twenty-five businesses (46 per cent) were not paying their employees correctly, while 16 (30 per cent) were not meeting their record-keeping and pay slip obligations.

As a result of the audits, the Fair Work Ombudsman recovered a total of \$20,722 in owed wages and entitlements on behalf of 44 workers.

Fair Work Ombudsman Natalie James says that it is imperative that employers make themselves aware of their workplace obligations and put in place processes to ensure compliance.

"While I am pleased to find there was no evidence of deliberate non-compliance, we are continuing to see too many businesses getting the basics wrong when it comes to their workplace obligations," Ms James says.

"My agency has a wealth of free information and resources to assist employers to navigate and understand workplace laws.

"I urge businesses to make use of these resources to ensure they are doing the right thing by their workers and avoid any difficulties down the track."

In response to the breaches, Fair Work inspectors issued one formal caution, one compliance notice and four infringement notices (on-the-spot fines).

In one matter, a Darwin café was found to have underpaid three employees a total of \$4988 over a 10-month period after incorrectly paying the employees at the introductory rate under the Restaurant Industry Award 2010 for longer than the maximum three-month period. The employer also failed to pay weekend penalty rates.

The employer stated that they had misinterpreted the classification descriptions under the award. The employer was issued with a compliance notice and back-paid the workers in full.

The Darwin report follows the release earlier this year (<https://www.fairwork.gov.au/about-us/news-and-media-releases/2018-media-releases/february-2018/20180209-nt-alice-barkly-campaign-release>) of the findings of the Fair Work Ombudsman's campaign in Alice Springs and Barkly, which found 39 per cent of audited businesses to be non-compliant with workplace laws.

Ms James warns that non-compliant businesses were now on notice and could face serious enforcement action for future breaches.

"Employers should be aware that penalties for serious contraventions of workplace laws, as well as those for record-keeping breaches, have recently increased," Ms James says.

"In April we also launched our [Workplace Basics campaign](https://www.fairwork.gov.au/about-us/news-and-media-releases/2018-media-releases/april-2018/20180411-workplace-basics-campaign-mr) (<https://www.fairwork.gov.au/about-us/news-and-media-releases/2018-media-releases/april-2018/20180411-workplace-basics-campaign-mr>) aimed at assisting businesses to access and navigate the wide range of free resources available to help them meet their obligations to pay workers correctly and follow record-keeping and pay-slip laws.

"We are happy to work with any business that requires our assistance to ensure they are complying with workplace laws."

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. Information on the website can be translated into 40 languages.

Small businesses can opt for priority service via the Infoline or visit the Fair Work Ombudsman's [Small Business Showcase](#)

(<https://www.fairwork.gov.au/small-business-showcase>) , a hub for online resources to assist small businesses.

Employers and employees can also sign up to remain informed and receive tailored information by registering for a free Fair Work Ombudsman My Account (https://www.fairwork.gov.au/my-account/registerpage.aspx?utm_source=webchat&utm_medium=SB-My-acct-sign-up&utm_campaign=MyaccountLP) .

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Read the [Darwin City and Surrounds Campaign Report \(www.fairwork.gov.au/reports/darwin-city-and-surrounds-campaign-report\)](http://www.fairwork.gov.au/reports/darwin-city-and-surrounds-campaign-report) (PDF 1.1MB) (<https://www.fairwork.gov.au/ArticleDocuments/1327/darwin-city-and-surrounds-campaign-report.pdf.aspx>)

Media inquiries:

Mira Millane, Media Adviser

Mobile: 0439 835 855

mira.millane@fwo.gov.au (<mailto:mira.millane@fwo.gov.au>)

Page reference No: 8404

Contact us

Fair Work Online: www.fairwork.gov.au

Fair Work Infoline: 13 13 94

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For TTY: 13 36 77. Ask for the Fair Work Infoline 13 13 94

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