

TCF campaign recovers \$80,000 for workers

11 January 2019

The Fair Work Ombudsman has recovered \$84,846 for 138 Textile, Clothing and Footwear workers following a series of audits across Australia.

Fair Work Inspectors audited 371 businesses in the sector and found only 52 per cent were compliant with all their workplace relations requirements. Businesses selected for audit were generally considered to be at a high risk of non-compliance, taking into account factors such as previous interactions with the Fair Work Ombudsman and use of outworkers.

Audits targeted businesses at all levels of the supply chain, with Inspectors conducting interviews and assessing time and wages records for compliance with workplace laws.

Inspectors found that 78 per cent of the audited businesses were paying their workers correctly. Of those found to be non-compliant, breaches mainly related to record-keeping and pay slip obligations.

In particular, many non-compliant businesses were found to have breached requirements of the Textile, Clothing, Footwear and Associated Industries Award 2010, which are specific to outworkers due to their recognised vulnerability in the sector.

These provisions include obligations for employers who outsource any aspect of their production to register with the appropriate Board of Reference, maintain a list of individuals or businesses they outsource work to, and supply a copy of a written agreement to the outworker.

Individual underpayments ranged from \$8 to \$10,319 for a worker who did not receive the required pay progressions over a six-year period. Inspectors issued 107 formal cautions, 31 infringement notices and four compliance notices.

Acting Fair Work Ombudsman Kristen Hannah said the agency has a strong focus on promoting workplace compliance in labour supply chains.

"The Fair Work Ombudsman targeted this sector due to its vulnerable workforce, which includes an unverified number of outworkers. The sector also employs a high proportion of women, migrants and mature-aged workers," Ms Hannah said.

"Outworkers work away from business premises at the end of supply chains and can be difficult to identify, making accurate records particularly important for ensuring their working conditions are compliant with workplace laws. Employers at all levels of the supply chain need to be aware of their workplace obligations and of community expectations that they be held accountable where these are breached."

"We are particularly concerned by the high rate of record-keeping breaches in this sector and have placed more than 100 employers on notice. Businesses now face higher penalties for failing to keep the right records, and a reverse onus of proof when it comes to disproving underpayment allegations in court," Ms Hannah said.

The audits followed an education campaign (<https://www.fairwork.gov.au/about-us/news-and-media-releases/2017-media-releases/may-2017/20170512-tcf-campaign-phase-one-mr>) which informed employers of the resources available from the Fair Work Ombudsman to help business owners comply with workplace laws.

The Australian textile, clothing and footwear sector engages over 33,000 workers across more than 6,370 businesses.

Employers and employees are encouraged to visit www.fairwork.gov.au or call the Fair Work Infoline on 13 13 94 for free advice and assistance about their rights and obligations in the workplace. A free interpreter service is available on 13 14 50. A dedicated [Small Business Showcase](https://www.fairwork.gov.au/small-business-showcase) (<https://www.fairwork.gov.au/small-business-showcase>) and resources to assist businesses manage their [supply chains](http://www.fairwork.gov.au/supplychain) (<http://www.fairwork.gov.au/supplychain>) are available online.

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Download the [Textile, Clothing and Footwear Compliance Phase Campaign Report \(DOCX 434.3KB\)](https://www.fairwork.gov.au/ArticleDocuments/965/textile-clothing-footwear-compliance-phase-campaign-report.docx.aspx) (<https://www.fairwork.gov.au/ArticleDocuments/965/textile-clothing-footwear-compliance-phase-campaign-report.docx.aspx>) (PDF 1.1MB) (<https://www.fairwork.gov.au/ArticleDocuments/965/textile-clothing-footwear-compliance-phase-campaign-report.pdf.aspx>)

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Fair Work Online: www.fairwork.gov.au

Fair Work Infoline: 13 13 94

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Hearing & speech assistance

Call through the National Relay Service (NRS):

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

Speak & Listen: 1300 555 727. Ask for the Fair Work Infoline 13 13 94

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