

## Noodles chain faces investigation

16 December 2020

The Fair Work Ombudsman (FWO) is making surprise visits to all 11 restaurants in the P'Nut Street Noodles chain in Sydney, Brisbane and the Sunshine Coast.

Fair Work Inspectors will be speaking with business owners, managers and employees on the ground to check that workers are being paid lawful wages and entitlements, and receiving accurate pay slips.

The regulator is acting after receiving intelligence from our [Anonymous Report tool \(www.fairwork.gov.au/workplace-problems/fixing-a-workplace-problem/anonymous-report/anonymous-tipoff\)](http://www.fairwork.gov.au/workplace-problems/fixing-a-workplace-problem/anonymous-report/anonymous-tipoff) indicating potential breaches by businesses operating under the brand, including allegations of underpayment of wages impacting migrant workers on student and skilled visas.

The Fair Work Ombudsman is aware some of the restaurants' employees this year have been sponsored on temporary skilled visas.

Fair Work Ombudsman Sandra Parker said the audits will focus on identifying whether there has been compliance with the work rights of all visa holders, who can be particularly vulnerable to exploitation and unwilling to speak up.

"We know that the food sector employs a significant number of visa holders, who can be potentially vulnerable due to their visa status and reliance on an employer. It is important we talk with workers on the ground so they are aware of their rights and that we can help them," Ms Parker said.

"Protecting vulnerable workers and improving compliance in the fast food, restaurant and café sector are priorities for the Fair Work Ombudsman. We will hold employers to account if they are not meeting their lawful obligations and consider enforcement action where appropriate."

"All workers in Australia have the same rights, regardless of nationality and visa status. Any workers with concerns about their pay or entitlements should contact the FWO for free advice."

Fast food, restaurant and café matters accounted for 50 per cent of the Fair Work Ombudsman's new litigations in 2019-20. The FWO secured court ordered penalties of \$1,877,162 from 13 litigation decisions in this sector. Visa holder workers were involved in 44 per cent of all litigations last year.

Offering a menu focused on Asian noodle meals, P'Nut Street Noodles has expanded rapidly since it commenced operations in December 2018.

The FWO has targeted [interactive tools \(www.fairwork.gov.au/find-help-for/fast-food-restaurants-cafes\)](http://www.fairwork.gov.au/find-help-for/fast-food-restaurants-cafes) to help employers and employees in the fast food, restaurant and café industry. The FWO has also recently published a range of [short animated videos \(www.fairwork.gov.au/find-help-for/franchises\)](http://www.fairwork.gov.au/find-help-for/franchises), available in six languages, aimed at helping franchisees to follow workplace laws and avoid common mistakes.

Employers can also use FWO's [pay calculator \(https://calculate.fairwork.gov.au/findyouraward\)](https://calculate.fairwork.gov.au/findyouraward) and [Small Business Showcase \(www.fairwork.gov.au/small-business-showcase\)](http://www.fairwork.gov.au/small-business-showcase).

The Fair Work Ombudsman has an agreement with the Department of Home Affairs where visa holders can ask for our help without fear of their visa being cancelled. Information and conditions are available at our webpage for [visa holder \(www.fairwork.gov.au/find-help-for/visa-holders-migrants\)](http://www.fairwork.gov.au/find-help-for/visa-holders-migrants) workers, which includes targeted resources.

Call the Fair Work Infoline on 13 13 94 or a free interpreter service on 13 14 50. Know a workplace not doing the right thing but don't want to get involved? [Report it anonymously \(www.fairwork.gov.au/workplace-problems/fixing-a-workplace-problem/anonymous-report/anonymous-tipoff\)](http://www.fairwork.gov.au/workplace-problems/fixing-a-workplace-problem/anonymous-report/anonymous-tipoff) – in your language.

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## Contact us

Fair Work Online: [www.fairwork.gov.au](http://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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