

Campaign results for Melbourne's Japanese restaurants and Asian grocery stores

3 August 2011

Three-quarters of Japanese restaurants and Asian grocery stores randomly audited during a recent campaign in Melbourne did not comply with workplace laws, the Fair Work Ombudsman has revealed.

Fair Work inspectors checked the books of 44 businesses in the CBD and at Holmesglen station at Malvern East to assess record-keeping and pay slip practices and to ensure employees were being paid correctly.

Of 32 audits finalised, 24 employers (75 per cent) recorded contraventions, with more than \$151,500 in underpaid wages and entitlements being recovered for a total of 134 employees.

Twelve businesses remain under investigation.

Fair Work Ombudsman Nicholas Wilson says the underpayments were primarily the result of workers - some of them international students - being short-changed their minimum hourly rate and not receiving public holiday, weekend and night shift loadings.

Mr Wilson says inspectors believe most contraventions were inadvertent and resulted from a lack of awareness by employers of their obligations rather than a deliberate attempt to under-pay staff.

"A number of employers we spoke to indicated they were not aware of the correct minimum hourly rate and the appropriate loadings and penalties that applied to their staff," he said.

"Some employers also advised they were unaware of the difference between part time and casual employment and, as a result, their employees did not receive their correct entitlements."

"Where inspectors have discovered contraventions, they have worked with the employer to voluntarily rectify them and put processes in place to ensure they are not repeated."

Mr Wilson said the campaign findings highlighted the need for the Fair Work Ombudsman to continue to provide education and advice to the industry and to monitor and enforce compliance.

The Fair Work Ombudsman has tools and resources on its website at www.fairwork.gov.au to assist employees and employers to understand their respective workplace rights and obligations.

Information is translated into 26 languages.

Employers or employees seeking assistance can also contact the Fair Work Infoline on 13 13 94 from 8am to 6pm weekdays.

A free interpreter service is available on 13 14 50.

Copy of campaign results: [Japanese Restaurants and Asian Grocery Campaign Report \(PDF 415.5KB\) \(www.fairwork.gov.au/Article-Documents/714/Japanese-Restaurants-and-Asian-Grocery-Campaign-Report.pdf.aspx\)](http://www.fairwork.gov.au/Article-Documents/714/Japanese-Restaurants-and-Asian-Grocery-Campaign-Report.pdf.aspx)

Media inquiries:

Cameron Jackson, Media Adviser, Media and Stakeholder Relations
0457 924 146
cameron.jackson@fwo.gov.au

Contact us

Fair Work Online: www.fairwork.gov.au

Fair Work Infoline: 13 13 94

Need language help?

Contact the Translating and Interpreting Service (TIS) on 13 14 50

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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