

600 cleaners to share \$242,000 back-pay

13 July 2011

More than 600 cleaners throughout Australia are to be reimbursed almost a quarter of a million dollars after investigations by the Fair Work Ombudsman found they were being underpaid.

The underpayments were discovered when Fair Work inspectors randomly scrutinised the books of more than 300 cleaning companies as part of a national targeted campaign.

With 315 audits complete, Fair Work Ombudsman Nicholas Wilson says 117 employers, or 37 per cent, have breached workplace law.

The most common contraventions were underpayment of penalty rates, inadequate record-keeping practices and failure to adhere to minimum shifts.

Another 101 employers remain under investigation, including a number in relation to potential sham contracting activity.

Mr Wilson says the campaign has so far recouped a total of \$242,450 back-pay for 621 employees – an average \$390 each.

A breakdown of the recoveries is as follows:

- \$63,618 for 105 employees in NSW
- \$63,322 for 72 employees in Victoria
- \$57,194 for 92 employees in Western Australia
- \$38,031 for 209 employees in Queensland
- \$17,418 for 55 employees in South Australia
- \$1865 for 11 employees in the ACT
- \$520 for 2 employees in Tasmania
- \$481 for 75 employees in the Northern Territory.

Mr Wilson says inspectors wrote to 15,000 cleaning companies Australia-wide to alert them to the campaign and provide information about tools and resources available to assist them understand and comply with workplace laws.

“Cleaning services was identified as a priority industry for attention after an analysis of our records between March, 2006 and April, 2010, showed it was generating the fourth highest number of complaints,” he said.

“We also received intelligence from a number of sources - including the Building Services Contractors' Association of Australia and United Voice (formerly the Liquor, Hospitality and Miscellaneous Union) that some cleaning contractors were undercutting their competitors to such an extent that their compliance with workplace laws was questionable.

“Further, a State-based campaign focussing on the cleaning industry in NSW in mid-2009 suggests the industry employed large numbers of international students who were potentially vulnerable to exploitation and likely to be reluctant to complain about their workplace conditions.”

In addition to those companies selected for audit, inspectors made educational field visits to 125 cleaning businesses in NSW, Queensland and SA.

And as part of a strategy to educate international students and migrant workers about their workplace rights, the Fair Work Ombudsman distributed education materials to universities, colleges and English language centres and provided ethnic media outlets with messages translated into languages such as Arabic, Chinese, Hindi, Korean, Portuguese, Serbian, Spanish and Thai.

Mr Wilson said the cleaning 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.

He said the Agency was likely to conduct a follow-up campaign in 2013 or 2014.

An “Industries” section on the Fair Work Ombudsman website now provides information specifically tailored for employers in the cleaning industry. Others have also been developed for the retail, clerical, hair and beauty, security, horticulture, fast food and hospitality sectors.

The resources are among a number of tools on the website at www.fairwork.gov.au to assist employees and employers to understand their respective workplace rights and obligations.

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.

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Fair Work Online: www.fairwork.gov.au

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

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Call through the National Relay Service (NRS):

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

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