

52 per cent compliance rate for NT pubs, bars, taverns and accommodation businesses

11 December 2013

Just over 50 per cent of pubs, bars, taverns and accommodation businesses in the Northern Territory are fully compliant with workplace laws, the Fair Work Ombudsman has found.

Releasing the results of a national campaign, Fair Work Ombudsman Natalie James said more NT businesses in the sector needed to make sure they were aware of their obligations under workplace laws.

“The Fair Work Ombudsman has developed an excellent range of free online tools and resources specifically tailored to this sector that business operators can use to ensure they are complying with their obligations,” Ms James said.

As part of the campaign, the Fair Work Ombudsman wrote to 24,000 pubs, bars, taverns and accommodation providers nationally last year to promote the range of free resources available at www.fairwork.gov.au/hospitality (www.fairwork.gov.au/how-we-will-help/helping-the-community/campaigns/national-campaigns/hospitality-campaign).

Earlier this year, the Fair Work Ombudsman checked the books of pubs, bars, taverns and accommodation businesses throughout the country to assess their compliance with workplace laws.

Of 29 audits completed in the Northern Territory, 15 businesses (52 per cent) were found to be compliant, while 14 (48 per cent) had non-compliance issues.

Of those with issues, seven were found to have underpaid 95 employees a total of \$36,228, while others had record-keeping, pay slip and technical contraventions.

In Darwin, eight of the 15 businesses audited (53 per cent) were compliant. Of those with non-compliance issues, four were found to have underpaid 53 employees a total of \$20,081.

In Katherine, all four businesses audited were found to be non-compliant, including one having underpaid several staff a total of \$10,360.

Of 750 audits completed nationally, 515 businesses (69 per cent) were found to be compliant, while 102 of those with non-compliance issues were found to have underpaid 629 employees a total of \$367,000.

Compliance rates varied across the country from 81 per cent in Queensland to 45 per cent in Victoria.

Ms James says the underpayments indicate that some employers are not being diligent about meeting their lawful obligation to ensure they are aware of the pay rates that apply to their workplaces.

“Payment of flat hourly rates for all hours worked, resulting in non-payment of penalty rates, was a common non-compliance issue in the NT,” Ms James said.

“However, it was pleasing that employers accepted assistance from Fair Work Inspectors to voluntarily back-pay workers and put processes in place to ensure ongoing compliance.”

The compliance rate in the accommodation providers sector (53 per cent) was slightly higher than in the pubs, bars and taverns sector (50 per cent) in the NT.

Nationally, 278 (70 per cent) of the 397 pubs, bars and taverns audited were found to be compliant and 235 (67 per cent) of the 351 accommodation providers audited were found to be compliant.

Ms James said it was encouraging that compliance levels for both sectors was higher than a 2008 national campaign which found that 64 per cent of pubs, bars and taverns nationally were compliant and only 48 per cent of accommodation providers nationally were compliant.

“The improved compliance rates indicate that our sustained efforts in the hospitality industry to increase employers’ awareness of the free resources available to help them comply are really making a difference,” she said.

“The overwhelming majority of business operators want to do the right thing by their employees and get it right when it comes to

workplace laws and we are committed to helping them do that.”

The focus on pubs, bars, taverns and accommodation providers over the past 18 months was the first phase of a wider three-year campaign focusing on the hospitality industry.

As part of the campaign, the Fair Work Ombudsman is currently auditing more than 1000 restaurants and catering businesses around the country and will next year audit up to 300 fast food operators nationally. Educational activities have also been undertaken in the sectors.

Employers and employees seeking assistance should contact the Fair Work Infoline on 13 13 94 or visit www.fairwork.gov.au/hospitality (www.fairwork.gov.au/how-we-will-help/helping-the-community/campaigns/national-campaigns/hospitality-campaign) . A free interpreter service is available by calling 13 14 50.

Find out more:

- [National Hospitality Campaign Report \(PDF 1.1MB\) \(www.fairwork.gov.au/ArticleDocuments/714/National-hospitality-campaign-report.pdf.aspx\)](http://www.fairwork.gov.au/ArticleDocuments/714/National-hospitality-campaign-report.pdf.aspx)
- [National Hospitality Campaign Report \(DOCX 6.8MB\) \(www.fairwork.gov.au/ArticleDocuments/714/National-hospitality-campaign-report.docx.aspx\)](http://www.fairwork.gov.au/ArticleDocuments/714/National-hospitality-campaign-report.docx.aspx)

Media inquiries:

Penny Rowe, Media & Stakeholder Relations
0457 924 146
penelope.rowe@fwo.gov.au

Page reference No: 3098

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

The Fair Work Ombudsman is committed to providing advice that you can rely on. The information contained on this website is general in nature. If you are unsure about how it applies to your situation you can call our Infoline on 13 13 94 or speak with a union, industry association or workplace relations professional. Visitors are warned that this site may inadvertently contain names or pictures of Aboriginal and Torres Strait Islander people who have recently died.