

## 72 per cent compliance for SA pubs, bars, taverns and accommodation businesses

11 December 2013

More than 70 per cent of pubs, bars, taverns and accommodation businesses in South Australia are complying with workplace laws, the Fair Work Ombudsman has found.

Releasing the results of a national campaign, Fair Work Ombudsman Natalie James said it was encouraging that efforts to increase awareness of workplace laws among employers in the sector were having an impact.

“The Fair Work Ombudsman has developed an excellent range of free online tools and resources specifically tailored to business operators in this sector and they are really helping employers comply 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](http://www.fairwork.gov.au/hospitality) ([www.fairwork.gov.au/how-we-will-help/helping-the-community/campaigns/national-campaigns/hospitality-campaign](http://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 78 audits completed in South Australia, 56 businesses (72 per cent) were found to be compliant, while 22 (28 per cent) had non-compliance issues.

Of those with issues, 10 were found to have underpaid 51 employees a total of \$20,128, while others had record-keeping, pay slip and technical contraventions.

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, and compliance also varied across regions in South Australia:

- Fleurieu and Kangaroo Island: four of five businesses (80 per cent) were compliant, with a business at Naracoorte having underpaid seven employees a total of \$2,180.
- Limestone Coast: four of seven businesses (57 per cent) were compliant, with a business at Victor Harbor having underpaid three employees a total of \$2,114 and a business in the Coonawarra region having underpaid five employees a total of \$3,075.
- Adelaide Hills: three of six businesses (50 per cent) were compliant, with one business in the region having underpaid 21 employees a total of \$7,394.

Ms James said record-keeping and pay slip contraventions and payment of flat hourly rates for all hours worked, resulting in non-payment of penalty rates, were common non-compliance issues in South Australia.

The compliance rate in the pubs, bars and taverns sector in South Australia (80 per cent) was higher than in the accommodation providers sector (55 per cent).

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

“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,” Ms James said.

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 national 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](http://www.fairwork.gov.au/hospitality) ([www.fairwork.gov.au/how-we-will-help/helping-the-community/campaigns/national-campaigns/hospitality-campaign](http://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)

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