

45 per cent compliance rate for Vic pubs, bars, taverns and accommodation businesses

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Less than 50 per cent of pubs, bars, taverns and accommodation businesses in Victoria 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 Victorian 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 101 audits completed in Victoria, 46 businesses (45 per cent) were found to be compliant, while 55 (55 per cent) had non-compliance issues.

Of those with issues, 24 were found to have underpaid 107 employees a total of \$92,356, 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 within Victoria:

- Gippsland: five of 10 businesses (50 per cent) were compliant, with a Lakes Entrance business having underpaid 22 employees a total of \$5,573.
- Goldfields: three of eight businesses (30 per cent) were compliant, with two Bendigo businesses having underpaid a total of nine employees \$11,654 and a Ballarat business having underpaid an employee \$1,037.
- Great Ocean Road region: five of 17 businesses (27 per cent) were compliant, with a Queenscliff business having underpaid an employee \$924.
- High Country: three of 11 businesses (27 per cent) were compliant, with a Wangaratta business having underpaid two employees \$978.

There were also significant recoveries in the metropolitan area, including \$18,025 for nine employees at a Canterbury business and \$12,649 for 22 employees at a Melbourne CBD business.

Other significant recoveries included \$2,271 for two employees at an Echuca business and \$3,406 for a total of 10 employees at two Geelong businesses.

In all cases, employers accepted assistance from Fair Work Inspectors to voluntarily back-pay workers and put processes in place to ensure ongoing compliance.

Ms James said the fact that only 10 of the 27 businesses audited (37 per cent) in the pubs, bars and taverns sector in Victoria were fully compliant with workplace laws was a cause for concern. A total of 44 employees in the sector were found to have been underpaid \$29,878.

In the Victorian accommodation providers sector, 35 of the 73 businesses audited (48 per cent) were fully compliant with workplace laws. A total of 63 employees in the sector had been underpaid a total of \$62,477.

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 workplaces.

“Underpayment of penalty rates and failure to increase minimum base rates of pay in line with the annual wage review decision were common non-compliance issues in Victoria,” Ms James said.

“We will work with relevant stakeholders and consider focusing further compliance and education activities on accommodation providers, bars, pubs and taverns in Victoria in future to improve compliance levels.

“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.”

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

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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