

Compliance boosted in Queensland real estate industry

28 May 2013

More than 80 per cent of employers in Queensland's real estate industry are now complying with workplace laws by lodging staff pay agreements, a Fair Work Ombudsman follow-up campaign has found.

Fair Work inspectors have completed audits of 279 employers in Queensland's real estate industry and found that 230 (82 per cent) lodged written pay agreements for staff with the Queensland Property Industry Registry (QPIR).

The 49 employers (18 per cent) who had failed to lodge agreements were at locations including Brisbane, Bowen, Bundaberg, Cairns, Chinchilla, Dalby, Emerald, Gattton, Gladstone, Gold Coast, Goondiwindi, Gympie, Ingham, Innisfail, Ipswich, Kingaroy, Mackay, Port Douglas, Rockhampton, Sunshine Coast, St George, Toowoomba and Townsville.

The results are a big improvement from a Fair Work Ombudsman campaign conducted in 2011, in which 156 Queensland real estate industry employers were audited and only 75 (48 per cent) were found to have lodged agreements.

It is a requirement under the Real Estate Industry Award 2010 for Queensland real estate industry employers to lodge a written agreement with the QPIR for all staff classified as property / strata management or property sales employees.

The agreements must state how the employees will be paid - commission-only, part-commission or as per the rates listed in the Modern Award.

During the recent follow-up campaign, inspectors revisited employers found to be in contravention in 2011 and randomly selected other real estate businesses across Queensland for audit.

The Fair Work Ombudsman also worked with key industry stakeholders to contact more than 2000 real estate industry employers in Queensland to make them aware of their obligations under workplace laws.

Acting Fair Work Ombudsman, Michael Campbell, said the sharp improvement in compliance rates was encouraging.

"It is particularly pleasing that we revisited 50 employers that were in contravention in 2011 and found that all of them are now compliant," Mr Campbell said.

"It reinforces that our inspectors' approach of working co-operatively with employers to educate them about their obligations and assist them to put processes in place to ensure ongoing compliance is having a positive impact."

The Fair Work Ombudsman's campaigns focused on real estate agents, business and hotel brokers, strata and community title management businesses, stock and station agents, buyers' agencies and real estate valuation agents.

Mr Campbell said the Fair Work Ombudsman focused on ensuring the agreement requirements were complied with because many of the underpayment complaints that come from real estate industry workers in Queensland are against employers who have not lodged pay agreements with the QPIR.

"Employers who fail to lodge agreements are at greater risk of underpaying their employees," he said.

"By ensuring employers are complying with the requirement to lodge agreements, we are aiming to prevent underpayments and pay disputes before they occur."

Employers and employees seeking information and advice should consult the free tools and resources available at www.fairwork.gov.au or call the Fair Work Infoline on 13 13 94.

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Campaign result:

- [QLD Real estate follow-up campaign 2013 report \(PDF 329.8KB\) \(www.fairwork.gov.au/ArticleDocuments/714/QLD-Real-Estate-follow-up-Report-Final-May-2013.pdf.aspx\)](http://www.fairwork.gov.au/ArticleDocuments/714/QLD-Real-Estate-follow-up-Report-Final-May-2013.pdf.aspx)
- [QLD Real estate follow-up campaign 2013 report \(DOC 851.5KB\) \(www.fairwork.gov.au/ArticleDocuments/714/QLD-Real-Estate-follow-up-Report-Final-May-2013.doc.aspx\)](http://www.fairwork.gov.au/ArticleDocuments/714/QLD-Real-Estate-follow-up-Report-Final-May-2013.doc.aspx)

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