

Pay packet review for La Porchetta employees

25 June 2014

Dozens of employees at La Porchetta pizza outlets across Australia will have their pay packets reviewed to ensure they are receiving their full entitlements.

La Porchetta Franchising has agreed to self-audit the records of a third of its 65 Australian stores to check that workers are receiving their proper wages and conditions.

Self-audits will be conducted at 24 stores over the next three years, with a mix of permanent and casual employees involved in the review.

La Porchetta has agreed to work with franchisees to facilitate prompt back-payment where any issues are identified.

The outcomes will also be reported to the Fair Work Ombudsman.

The company will conduct follow-up inquiries of any stores with underpayment issues within six months.

La Porchetta has agreed to the actions as part of a Proactive Compliance Deed (PCD) with the Fair Work Ombudsman.

The Fair Work Ombudsman has received a number of complaints relating to La Porchetta stores in recent years.

Earlier this month, the operators of two La Porchetta restaurants were fined a total of \$334,818 following an investigation and litigation by the Fair Work Ombudsman.

The Fair Work Ombudsman found that 111 mostly teenage employees – one as young as 13 - had been underpaid a total of \$258,000 between 2009 and 2012 when they worked at La Porchetta franchise outlets at Pakenham and Berwick.

The companies which operate the restaurants - Bound for Glory Enterprises Pty Ltd and Zillion Zenith International Pty Ltd - have each been fined \$139,507.50. Ruby Chand, the owner of both franchises, has been penalised a further \$55,803.

The Federal Circuit Court also ordered the two companies to back-pay more than \$79,000 in outstanding entitlements to those employees not yet fully reimbursed.

Under the terms of the Deed announced today, La Porchetta has agreed to provide new franchisees with employment induction training and employment packs covering key aspects of workplace laws.

All franchisees will also get annual updates on wage obligations.

Further, an employee liaison officer has been appointed to deal specifically with any new complaints from workers about their entitlements.

The Fair Work Ombudsman has agreed to refer any new complaints it receives to La Porchetta to allow the company to liaise with franchisees and resolve them at the workplace level.

It has, however, reserved the right to investigate matters considered to be serious or in the public interest.

Fair Work Ombudsman Natalie James today acknowledged the company's positive and co-operative approach, saying it showed corporate responsibility to a large number of employees.

Ms James says it is heartening to see companies which recognise the importance of great relationships with staff.

"Proactive Compliance Deeds facilitate better communication between employers and employees, as well as strengthening the co-operation and working arrangements between employers and ourselves," she said.

"The Deeds are a valuable way for us to engage with employers who want to do the right thing and we commend La Porchetta Franchising for taking the extra step of joining up.

"This Deed is an example of how the Fair Work Ombudsman continues to look for ways to assist employers and employees to be able to put good practices in place that can assist people to resolve issues in the workplace themselves.

"Employers who care about their reputation should be doing these sorts of things."

The Fair Work Ombudsman also runs a National Franchise Program (NFP) to encourage big franchisors to enhance their brand by publicly supporting fair workplaces.

Ms James said those participating in the NFP receive free resources to educate their franchisees and advice on how to best promote compliance with workplace laws across their network.

“They are demonstrating their commitment to corporate responsibility and sending out a message that they value the rights of their large and diverse workforces,” she said.

There are also a range of tools and resources for small business people available on the Fair Work Ombudsman’s website at www.fair-work.gov.au/smallbusiness (www.fairwork.gov.au/find-help-for/small-business/default)

Free template documentation is available for employers to use when hiring, managing and dismissing staff, including letters of engagement and probation, timesheet and pay slip templates, leave application forms and a self-audit check list.

Ms James said providing advice to time-poor small businesses with minimal workplace relations support or expertise was a high priority for the Fair Work Ombudsman.

Employers and employees seeking further information and advice can visit the website or call the Fair Work Infoline on 13 13 94. A free interpreter service is available on 13 14 50. Small business employers calling the Fair Work Infoline can opt to be put through to the Small Business Helpline to receive priority service.

Find out more:

- [La Porchetta Proactive Compliance Deed \(DOCX 107.1KB\) \(www.fairwork.gov.au/ArticleDocuments/762/la-porchetta-proactive-compliance-deed-2014.docx.aspx\)](http://www.fairwork.gov.au/ArticleDocuments/762/la-porchetta-proactive-compliance-deed-2014.docx.aspx) ([PDF 2.2MB\) \(www.fairwork.gov.au/ArticleDocuments/762/la-porchetta-proactive-compliance-deed-2014.pdf.aspx\)](http://www.fairwork.gov.au/ArticleDocuments/762/la-porchetta-proactive-compliance-deed-2014.pdf.aspx)

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Fair Work Online: www.fairwork.gov.au

Fair Work Infoline: 13 13 94

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

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