

Pay packet review for dozens of Chicken Treat employees throughout WA

16 March 2014

Dozens of former and current employees of Chicken Treat outlets in Western Australia will have their pay packets reviewed to ensure they are receiving their full entitlements.

Australian Fast Foods Pty Ltd, which owns and operates the Chicken Treat brand, has agreed to self-audit its records to check wages, overtime and allowances.

The audits will apply to three full pay periods for a mix of full-time, part-time, casual, adult and junior employees who worked in Chicken Treat stores between 2010 and 2012.

Australian Fast Foods has agreed to voluntarily reimburse any outstanding entitlements it may uncover, and report on its findings to the Fair Work Ombudsman.

Australian Fast Foods Pty Ltd, which trades as Chicken Treat and employs about 500 people, has entered into a Proactive Compliance Deed (PCD) with the Fair Work Ombudsman.

The Deed is being actioned following a targeted campaign by the Fair Work Ombudsman last year to assess enterprise agreements in Western Australia.

As part of the campaign, Fair Work inspectors audited a number of Chicken Treat stores owned and operated by Australian Fast Foods.

In some cases, the company was paying its staff under the Chicken Treat Employees, SDA Agreement 2009 at rates less than stipulated in the Fast Food Industry Award 2010.

Once this was identified, about 450 employees were immediately back-paid more than \$35,000.

Australian Fast Foods has agreed to work in collaboration with the Fair Work Ombudsman to ensure that there have been no further underpayments under the 2009 Agreement.

If it does find additional contraventions for the period 2010-2012, the company has agreed to conduct a second round of audits for the period up to June, 2013.

The first review is to be concluded by the end of June and if a second is required, by the end of December.

Further, an employee liaison officer is to be 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 the company for self-resolution, but reserves the right to investigate matters considered to be serious or in the public interest for it to do so.

Australian Fast Foods is required to provide a written report after 12 months detailing the number of complaints, time taken to resolve and the amount of any underpayments.

Fair Work Ombudsman Natalie James today welcomed the company's pro-active 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 Australian Fast Foods 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 self-resolve issues in the workplace.

"The program is a terrific model for other companies who want to be seen as a great place to work."

A copy of the Deed is available at www.fairwork.gov.au

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.fairwork.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.

The website also has a number of dedicated tools and resources, including PayCheck Plus and an Award Finder, to assist business owners to calculate the correct pay for their employees.

A series of Best Practice Guides is available on a range of topics, including 'small business and the Fair Work Act'.

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

"Small business is entitled to credible and reliable information about their obligations in a way that makes sense to them, and via channels that they can access quickly and easily," she said.

Find out more:

- [Australian Fast Foods Pro-active Compliance Deed \(DOCX 121.7KB\) \(www.fairwork.gov.au/ArticleDocuments/762/australian-fast-foods-proactive-compliance-deed.docx.aspx\)](http://www.fairwork.gov.au/ArticleDocuments/762/australian-fast-foods-proactive-compliance-deed.docx.aspx) (PDF 2MB) (www.fairwork.gov.au/ArticleDocuments/762/australian-fast-foods-proactive-compliance-deed.pdf.aspx)

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