

Bendigo fast-food worker paid \$11 an hour

24 August 2015

A fast food shop in Bendigo paid staff as little as \$11 an hour because the employer believed it was the 'going rate', a Fair Work Ombudsman investigation has found.

The employer, who was new to the business, told Fair Work inspectors he was unaware of the Fast Food Industry Award, minimum hourly rates or penalties.

A random audit of the business as part of the Fair Work Ombudsman's national hospitality campaign found that four part-time and casual employees were paid between \$11 and \$15 an hour.

They were entitled to a minimum of between \$15.74 and \$22.48 for normal hours and between \$20.77 and \$29.67 for work on Sundays.

Collectively, they were short-changed more than \$8000, with individual underpayments ranging from \$582 to \$3004.

Fair Work Ombudsman Natalie James says the employer has been educated about his workplace obligations and since reimbursed all outstanding entitlements.

She says the case study highlights the importance of Goldfields region businesses taking the time to ensure they understand the wage rates applicable to their workplace.

"Employers also need to be aware that they are not able to enter into agreements which undercut minimum lawful entitlements," Ms James said.

"We would encourage anyone establishing or operating a business to seek advice and assistance if they are unclear about their responsibilities.

"When we find mistakes, our preference is to educate employers about their obligations and assist them to put processes in place to ensure they are compliant in future."

Other recent recoveries in the Goldfields region include:

- \$7800 recovered for 16 office cleaners in Bendigo who were underpaid their travel and shift allowances as well as their overtime penalty rates,
- \$8800 for seven casual food and beverage workers in Bendigo who were underpaid their minimum hourly rates, late night and weekend penalty rates, and
- \$9000 for a two farm hands at Clunes who did not receive overtime penalty rates, leave loading or their full personal leave entitlements.

Ms James says the Fair Work Ombudsman can assist employers with accurate, reliable information that is easy to access, understand and apply.

Online tools available at www.fairwork.gov.au include calculators to determine the correct award and minimum wages for employees, templates for pay slips and time-and-wage records and a range of Best Practice Guides.

Employers and employees seeking assistance can consult the range of free tools and resources available on the website, or call the Fair Work Infoline on 13 13 94. A free interpreter service is available on 13 14 50.

Follow Fair Work Ombudsman Natalie James on Twitter [@NatJamesFWO](https://twitter.com/NatJamesFWO) (<http://twitter.com/NatJamesFWO>), the Fair Work Ombudsman [@fairwork_gov_au](https://twitter.com/fairwork_gov_au) (http://twitter.com/fairwork_gov_au) or find us on Facebook www.facebook.com/fairwork.gov.au (<http://www.facebook.com/fairwork.gov.au>).

Sign up to receive the Fair Work Ombudsman's media releases direct to your email inbox at www.fairwork.gov.au/mediareleases (www.fairwork.gov.au/mediareleases).

Media inquiries:

Nicci de Ryk, Senior Media Adviser

Mobile: 0466 522 004
nicci.deryk@fwo.gov.au (<mailto:nicci.deryk@fwo.gov.au>)

Page reference No: 5515

Contact us

Fair Work Online: www.fairwork.gov.au

Fair Work Infoline: 13 13 94

Need language help?

Contact the Translating and Interpreting Service (TIS) on 13 14 50

Hearing & speech assistance

Call through the National Relay Service (NRS):

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

Speak & Listen: 1300 555 727. Ask for the Fair Work Infoline 13 13 94

The Fair Work Ombudsman is committed to providing advice that you can rely on. The information contained on this website is general in nature. If you are unsure about how it applies to your situation you can call our Infoline on 13 13 94 or speak with a union, industry association or workplace relations professional. Visitors are warned that this site may inadvertently contain names or pictures of Aboriginal and Torres Strait Islander people who have recently died.