

Building and construction campaign results

29 July 2015

The Fair Work Ombudsman has flagged ongoing efforts to improve compliance rates within the building and construction industry following a recent national campaign.

While an improvement in compliance over the past five years is encouraging, the industry will remain a high priority for the Agency, Fair Work Ombudsman Natalie James said today.

Ms James released the findings of random audits of 700 businesses throughout Australia as part of a 2014-15 National Building and Construction Industry Campaign.

The latest auditing found that 75 per cent of employers were paying their employees correctly.

Seventy-seven per cent of employers were compliant with their record-keeping and pay-slip obligations and 59 per cent of businesses were compliant with all requirements.

Fair Work inspectors scrutinised 700 employers to check minimum wage rates, penalty rates, allowances, overtime, pay-slip, record-keeping obligations and contracting arrangements

Ninety-six employers were found to have underpaid a total of 201 employees almost \$260,000.

The largest amount required to be reimbursed by any one business was \$58,000.

Ms James says four employers have been issued with formal Letters of Caution, putting them on notice that further workplace breaches may result in enforcement action.

Fair Work inspectors found no prima-facie evidence of inappropriate contracting activity by any of the employers who had their contracting arrangements reviewed.

However, Ms James says that given the complexities of some of the arrangements examined, further investigations will be conducted to ensure their bona fides.

The Fair Work Ombudsman earmarked the building and construction sector for attention after assessing its complaints data and in light of the results of previous campaigns.

In the 2013 calendar year, the Agency received 2083 requests for assistance from employees in the construction industry, of which 1027 were sustained, resulting in a 49 per cent contravention rate.

Six regional campaigns since 2009, which audited more than 500 businesses, resulted in an overall contravention rate of 65 per cent.

And between January and June, 2014, the Fair Work Ombudsman received 770 requests for assistance from apprentices – 38 per cent from apprentices in the building and construction industry.

Ms James says that in the most recent campaign, trade-qualified employees tended to be paid above their minimum entitlements, and most underpayments related to low-skilled workers reliant on Award conditions.

“Of note, 64 per cent of businesses who belonged to employer bodies were compliant, compared with 57 per cent for those who were not,” she said.

Ms James says the Fair Work Ombudsman will continue to work collaboratively with key stakeholders to build a culture of compliance with workplace laws.

Some of those with contraventions will be re-audited in this financial year’s National Compliance Monitoring program to ensure behavioural change.

Employers and employees seeking further information or advice are encouraged to visit www.fairwork.gov.au or call the Fair Work Infoline on 13 13 94 for free advice.

A free interpreter service is also available on 13 14 50.

Download

National building and construction campaign report (DOCX 1.6MB) (www.fairwork.gov.au/ArticleDocuments/714/national-building-and-construction-campaign-report.docx.aspx) (PDF 1.6MB) (www.fairwork.gov.au/ArticleDocuments/714/national-building-and-construction-campaign-report.pdf.aspx)

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: 5486

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.