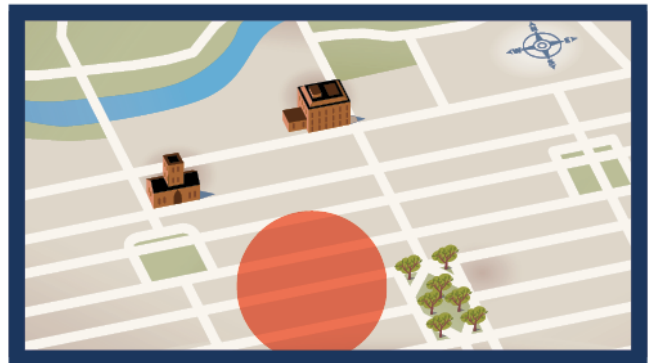




We investigated **58 businesses**  
in **Adelaide's Chinatown** and  
surrounding areas in April 2021



**83%** non-compliant with Australian  
workplace laws



**\$189,316**

recovered for **306**  
employees from  
**42** businesses



**1** business remains  
under investigation

**\$** **41% (24)** didn't pay staff correctly

**\$** **10% (6)** didn't meet pay slip and record-keeping requirements

**\$** **31% (18)** breached both monetary and non-monetary obligations

Fair Work Inspectors issued:

 **43**


Compliance  
notices

**\$188,548** recovered  
for **301** employees

 **31**

Infringement  
notices

**\$31,296** paid in fines

 **3**

Contravention  
letters

# Adelaide food precinct investigation

## What we did and why

In April 2021, we investigated 58 businesses in Adelaide's Chinatown and surrounding areas. This proactive investigation was part of a program examining non-compliance in popular 'cheap eats' food precincts that commenced in 2016.<sup>1234</sup>

Fast food, Restaurants and Cafés (FRAC) sector businesses within these precincts typically employ a high proportion of young and migrant (temporary visa holder) workers. These workers can be vulnerable to exploitation, due to a lack of awareness or understanding of their entitlements, and an unwillingness to raise concerns with their employer or the FWO.

Adelaide's Chinatown has a diverse mix of businesses, employers and employees. Anonymous tip offs from workers suggested non-compliance in restaurants and fast food outlets in the area.

We targeted businesses deemed to be at risk of non-compliance, based on one or more of the following characteristics:

- a history of non-compliance with the FWO
- anonymous tip offs and/or customer enquiries received about the business
- employing vulnerable migrant workers (confirmed using Home Affairs data).

Fair Work Inspectors conducted unannounced site visits at 58 businesses over four days. They:

- requested employment and payroll records
- interviewed employers, managers and workers
- observed work practices
- noted staff numbers to validate business records.

Pay slips and record-keeping practises were assessed against the requirements of the *Fair Work Act 2009*, the *Fair Work Regulations 2009*, and applicable awards or registered agreements. Most businesses were covered by the *Restaurant Industry Award 2010* or *Fast Food Industry Award 2010*.

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<sup>1</sup> [Over-1.2-million-recovered-for-food-and-retail-workers– Media releases – Fair Work Ombudsman](#)

<sup>2</sup> [Over \\$300 000 returned to fast food, restaurant and café workers - Media releases - Fair Work Ombudsman](#)

<sup>3</sup> [Over \\$580,000 recovered for Hobart workers - Fair Work Ombudsman](#)

<sup>4</sup> [More than \\$200,000 recovered for Gold Coast workers - Fair Work Ombudsman](#)

## Our findings

48 (83%) of the 58 businesses investigated had breached workplace laws. Of those:

- 24 (41%) were not paying staff correctly.
- 6 (10%) were non-compliant with pay slip and record-keeping requirements.
- 18 (31%) breached both their monetary and non-monetary obligations.

The most common breaches were:

- failure to pay penalty rates – 33 businesses (69%)
- underpayment of the minimum hourly rate – 25 businesses (52%)
- failure to make and keep employee records – 21 businesses (44%)
- payslips not containing the required information – 6 businesses (13%)
- failure to pay correct allowances – 3 businesses (6%)

## Action taken and next steps

We recovered \$189,316 for 306 employees from 42 businesses.<sup>5</sup> The largest recovery was \$32,835.50 from one business, for one employee, for an annualised salary issue.<sup>6</sup>

Fair Work Inspectors issued:

- 43 compliance notices (to 41 businesses), recovering \$188,548 for 301 employees
- 31 infringement notices, with \$31,296 paid in fines
- 3 contravention letters.

1 business is still under investigation for alleged non-compliance with workplace laws.

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<sup>5</sup> One business rectified underpayments of \$768 to 5 employees at the time of our site visits, without Fair Work inspectors needing to investigate further