

# EXAMPLE – COVER LETTER

GPO Box 93214 SYDNEY 2000

1 July 2023

Mr Jack Smith  
Jacksove Pty Ltd trading as Jim & June's Hotel  
12 – 14 Brown Avenue,  
Sealand NSW 1234

Reference number: 999000989989



## ATTENTION:

The Fair Work Ombudsman believes you have not complied with a workplace law.  
To avoid legal action, complete the steps below before 31 July 2023.

Dear Mr Jack Smith

The Fair Work Ombudsman (**FWO**) has conducted an investigation of Jacksove Pty Ltd trading as Jacksove Pty Ltd trading as Jim & June's Hotel (**Employer**). Based on the evidence considered during the investigation, I believe that the Employer has contravened the *National Employment Standards (NES)* and the *Hospitality Industry (General) Award 2020 (Award)* in relation to Sarah Jones (**Employee**) during the period 10 March 2023 and 10 April 2023.

I am issuing the Employer a COMPLIANCE NOTICE, which sets out the details of these contraventions.

## WHY ARE YOU RECEIVING THIS?

This is your opportunity to fix these issues without going to court. **If you comply, the FWO will not take further action against you for the contraventions set out in the compliance notice.**

## WHAT DO YOU NEED TO DO NOW?

Action required	Due date	Completed
<b>Step 1</b> Read the compliance notice		<input type="checkbox"/>
<b>Step 2</b> Calculate the amount owed to the employee(s)		<input type="checkbox"/>
<b>Step 3</b> Pay the employee(s) what they are owed	<b>COMPLETE BY:</b> <b>[31/07/23]</b>	<input type="checkbox"/>
<b>Step 4</b> Provide evidence of payment to the FWO (include calculations if not already provided)	<b>COMPLETE BY:</b> <b>[31/07/23]</b>	<input type="checkbox"/>

**We will review the evidence you provide to confirm you have complied with the compliance notice.**



**IMPORTANT:** Most businesses like yours take this opportunity to fix the issues and avoid legal action. If you don't, you risk:

- court ordered back-payments to the employee(s) (possibly with interest)
- significant penalties for failing to comply with a compliance notice (up to \$46,950 for a company or \$9,390 for an individual)
- reputation damage, media coverage and costs associated with legal proceedings.

### **ABOUT THE CONTRAVENTION(S)**

Based on the evidence considered during the investigation, I believe that the Employer has contravened Commonwealth workplace laws by failing to pay the Employee for hours worked, and failing to pay the Employee their accrued annual leave balances on termination.

### **SEEK HELP EARLY IF YOU'RE UNSURE WHAT TO DO**

If you need help to fix the issues, then:

- Seek assistance from a legal advisor, accountant, or employer association
- Read the enclosed [Frequently asked questions](#) (FAQs) or at [fairwork.gov.au/compliancefaqs](http://fairwork.gov.au/compliancefaqs)
- Complete our free [Compliance notices online course](#) at [fairwork.gov.au/cncourse](http://fairwork.gov.au/cncourse)
- Use our **free tools and resources** to help you calculate the amounts owed:
  - find our [pay, leave and notice calculators](#) at [fairwork.gov.au/pact](http://fairwork.gov.au/pact)
  - get a copy of the [Hospitality Industry \(General\) Award 2020](#) at [fairwork.gov.au/listofawards](http://fairwork.gov.au/listofawards)
  - download the [Hospitality Industry \(General\) Award 2020 Pay Guide](#) at [fairwork.gov.au/payguides](http://fairwork.gov.au/payguides)
- Contact me on 02 555 444 333 or at [a.surname@compliance.gov.au](mailto:a.surname@compliance.gov.au) to discuss the compliance notice and what you need to do. Translation services are available.

Yours sincerely,

Alison Surname

**Fair Work Inspector**

**Fair Work Ombudsman**

### **INCLUDED WITH THIS LETTER:**

- Compliance notice - payment due by **31/07/23**
- Frequently asked questions
- Compliance notice online course flyer