

SENATE ESTIMATES HOT TOPIC BRIEF INDEX NOVEMBER 2022

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Documents released by the Fair Work Ombudsman
Under the Freedom of Information

Issue: FWO | FWO regulatory role in the Building and Construction industry
PBS Pg No. 15, 188-189
Budget Paper No.2 – Page 98
Contact: Ms Sandra Parker
Fair Work Ombudsman

Key Points

- The Fair Work Ombudsman (FWO) is working with the Department of Employment and Workplace Relations (DEWR) to support the implementation of the Government's commitment to abolish the Australian Building and Construction Commission (ABCC).
- In line with the Government's commitment, the FWO will assume responsibility for ensuring compliance with Fair Work Act matters in the commercial building and construction sector, such as wages and entitlements, sham contracting arrangements and general protections.
- The Federal Budget provided the FWO with \$69.9 million over four years to regulate the Fair Work Act across the entire building and construction industry, ensuring there is no shortfall in workplace relations regulation.
- Once the change takes effect, the FWO will release communications for the regulated community, including employers and workers, to help educate stakeholders on the change.
- Consistent with the Government's policy, on commencement, the FWO will approach the commercial building and construction sector like any other and will be guided by our Compliance and Enforcement Policy, FWO Priorities, and the ultimate assessment of public interest and deterrence in the use of public resources.
- Like all other industry sectors, the FWO expects commercial building and construction participants to comply with their workplace obligations and will monitor the sector to ensure compliance with the Fair Work Act.

FWO and ABCC Arrangements

- Although the FWO is the primary regulator under the *Fair Work Act 2009* (Cth) (**Fair Work Act**), the FWO and the ABCC currently have overlapping jurisdiction in the commercial building and construction sector due to the operation of the *Building and Construction Industry (Improving Productivity) Act 2016* (**BCIIP Act**).
 - As defined under the BCIIP Act, the ABCC regulates 'designated building laws' within the commercial sector.

- This division of each regulator's responsibilities is currently managed through an exchange of letters between the FWO and the ABCC (from December 2016 and January 2017).
- Under this arrangement the FWO is responsible for regulation of the domestic building and construction sector and providing advice and education to both the domestic and commercial sectors regarding the Fair Work Act.

Key Data

- Between July 2016 and May 2022, the FWO received more than 217,000 enquiries relating to the building and construction industry, and the industry has consistently been in the top industries utilising the FWO's Small Business Helpline and Employer Advisory Service.
- Between 2016 - 2022, the FWO completed more than 16,600 disputes and recovered more than \$15.3 million for nearly 4,300 employees in relation to the domestic building and construction sector.
- The FWO has also commenced 18 litigations in the same sector over this period, all relating to wage underpayments.
- The FWO also issued 661 compliance notices, recovering more than \$2.4 million for workers in this sector between July 2017 and June 2022. The number of compliance notice issues also increased substantially in the 2021-22 period as well as the 2020-21 period with 367 and 252 compliances notices issued respectively.

Research

- NIL

Media

- ***Restoring Equal Rights for Construction Workers***
Media statement by the Hon Tony Burke MP regarding the amendment of the Code for the Tendering and Performance of Building Work and changes to the role of the FWO in the building and construction industry.
(<https://www.tonyburke.com.au/media-releases/2022/7/24/restoring-equal-rights-for-construction-workers-1>)

Last Cleared By	§ 22 Irrelevant Information
Date Last Cleared	26 October 2022

Issue: FWO | FWO and changes to the Fair Work Act
PBS Pg No. 188-189
Budget Paper: No. 2 – Page 102-103
Contact: Ms Sandra Parker
Fair Work Ombudsman

Key Points

- The Fair Work Ombudsman (FWO) is working closely with the Department of Employment and Workplace Relations (DEWR) to support the implementation of the Government's workplace relations policy agenda.
- A key part of the FWO's role is to ensure that all workers and employers understand their rights and obligations under Australia's workplace laws.
- To support the FWO's role in supporting the Government's workplace relations agenda, the Federal Budget provided:
 - \$2.2 million over four years from 2022-23 to the FWO to support small businesses to understand and implement 10 days of paid family and domestic violence leave.
 - \$15.1 million over four years from 2022-23 and \$3.8 million per year ongoing to a number of agencies, to support the introduction and implementation of an express prohibition on sexual harassment in the *Fair Work Act 2009*. This includes \$3.1 million to the FWO.
- As changes are made to these laws, the FWO will work closely with stakeholders to update information, tools and resources to assist employers and workers to understand and apply any new provisions and regulations.

Paid Family and Domestic Violence Leave

- When the Fair Work Amendment (Paid and Domestic Violence Leave) Bill 2022 is passed, the FWO will update its website to provide information about the new provisions, guidance about when the changes come into effect and what employers and employees can do to prepare for the changes.
- When the provisions come into operation in 2023, the FWO will also update its website with more comprehensive information and resources.
- The FWO will work closely with stakeholders to update its information, tools and resources to assist businesses and employees, including the Employer Guide to Family and Domestic Violence which was developed in partnership with various community organisations.

- Currently, the FWO website hosts tailored information on managing and taking unpaid family and domestic violence leave, including:
 - an Employer Guide to Unpaid Family and Domestic Violence (the Guide) – and a short version of the guide;
 - a Workplace Family and Domestic Violence Checklist; and
 - a Factsheet on supportive services for people impacted by family and domestic violence.

Workplace Sexual Harassment

- As a core member of the Respect@Work Council chaired by the Australian Human Rights Commission (**AHRC**), the FWO will continue to work across government to progress the recommendations of the 2020 'Respect@Work: Sexual Harassment National Inquiry Report'.
- The FWO's website and online resources reflect the current state of the law following Royal Assent to the *Sex Discrimination and Fair Work (Respect at Work) Amendment Act 2021* (Cth) in September 2021.
- When the express prohibition against sexual harassment is included in the Fair Work Act, the FWO will update its website to provide information about the new provisions, guidance about when the changes come into effect and what employers and employees can do to prepare for the changes.

Research

- NIL

Media

- NIL

Other documentation

- The FWO made a submission to the Senate Education and Employment Legislation Committee inquiry into the Fair Work Amendment (Paid Family and Domestic Violence Leave) Bill 2022.
- The submission outlined the FWO's role in supporting businesses and employees to understand their rights and obligations, including under the current unpaid family and domestic violence leave provisions and the upcoming changes.

Last Cleared By	§ 22 Irrelevant Information
Date Last Cleared	26 October 2022

Issue: FWO | FWO Self-Reports: Large Corporate and University Underpayments
PBS Pg No. 181-207
Contact: Ms Sandra Parker
Fair Work Ombudsman

Key Points

- Large corporate underpayments are one of the Fair Work Ombudsman's (FWO) priorities for 2022-23.
- The FWO continues to see a significant number of large corporate entities, as well as universities, not-for-profits, and other businesses self-reporting underpayments, with issues often spanning multiple years and involving large numbers of employees.
- During the 2021-22 financial year, the FWO put significant resources into ensuring large corporates correctly assessed and rectified underpayments. This resulted in nearly \$279 million over 267,000 employees. This is over 6 times the amount in 2020-21.
- In the workplace regulator's experience, large-scale corporate non-compliance with the *Fair Work Act 2009* (Cth) is often driven by ineffective governance, a lack of investment in payroll systems, expertise and auditing, and in some cases, complacency.
- Since establishing the Large Corporates Branch, the FWO has launched three significant litigations involving large corporates (as these matters are ongoing further comment is not appropriate):
 - On 1 December 2021, the FWO commenced legal proceedings against Coles Supermarkets Australia Pty Ltd in relation to the alleged underpayment of salaried employees.
 - In October 2021, the FWO commenced proceedings against Commonwealth Bank of Australia and Commonwealth Securities Limited, in relation to an alleged underpayment of more than \$16.4 million to more than 7,000 workers.
 - In June 2021, the FWO commenced proceedings against Woolworths Group Limited and Woolworths (South Australia) Pty Limited, in relation to underpayments of salaried managers.

University underpayments

- The University sector is a new priority for the FWO in 2022-23, following complaints from staff and unions, and self-reports regarding significant underpayments.
- The FWO has commenced investigations into a number of universities and, while they are at different stages, it has taken enforcement action against three universities to date in 2022:

- On 10 August the FWO commenced legal action against the University of Melbourne alleging it coerced and took adverse action against two casual academic employees.
- The FWO entered into an Enforceable Undertaking with Charles Sturt University which is back-paying staff about \$3.2 million plus superannuation and interest, after the University admitted to underpaying staff between 2015 and 2022.
- The FWO also entered into an Enforceable Undertaking with the University of Newcastle who are back-paying staff about \$6.2 million plus superannuation and interest, after the University admitted to underpaying staff between 2014 and 2020.
- The FWO also has an ongoing investigation into the alleged underpayment of casual academic employees at the University of Melbourne, which commenced following media reports.

FWO's approach to self-reports

- The FWO investigates self-reports in line with the agency's publicly available Compliance and Enforcement Policy.
- When an employer reports underpayments, the FWO's primary focus is on reaching a level of assurance that they are accurately calculated and being paid in a timely manner to affected employees.
- The FWO also seeks to understand how the issues occurred, what is being done to correct them and prevent them occurring again.
- These remediation programs are a resource intensive process for businesses. This is compounded as businesses often self-report for underpayments of a cohort of workers, then find further issues with other cohorts.
- If entities are not fully cooperative, or don't provide sufficient assurance that remediation is accurate, the Agency can and will undertake independent validation or full recalculations.
- The FWO may use one of the enforcement tools available to it under the *Fair Work Act 2009* (Cth), including infringement notices, compliance notices, enforceable undertakings or litigation.
- The FWO may accept an enforceable undertaking, rather than commencing litigation against a company, when it is in the public interest and is cost-effective to do so.
- The FWO announces any enforcement outcomes in line with its publicly available Compliance and Enforcement and Media Policies.
- On the positive side, the FWO has noted an increase in businesses investing in time and attendance systems, payroll and workplace relations expertise and data analytics to monitor compliance.

Research

- NIL

Media

- ***FWO takes action against Coles Supermarkets***

The Fair Work Ombudsman has commenced legal action against Coles Supermarkets Australia Pty Ltd (Coles), alleging it underpaid more than 7,500 salaried employees a total of \$115 million.

<https://www.fairwork.gov.au/newsroom/media-releases/20211202-coles-media-release>

- ***FWO takes action against Commonwealth Bank***

The Fair Work Ombudsman has commenced proceedings in the Federal Court against Commonwealth Bank of Australia (CBA) and Commonwealth Securities Limited (CommSec), for alleged contraventions of the Fair Work Act for failing to pay 7,425 workers \$16.44 million.

<https://www.fairwork.gov.au/newsroom/media-releases/2021-media-releases/october-2021/20211011-cba-litigation-media-release>

- ***FWO takes action against Woolworths***

The Fair Work Ombudsman has commenced legal action in the Federal Court against Woolworths Group Limited and Woolworths (South Australia) Pty Limited, in relation to major underpayments of salaried managers.

<https://www.fairwork.gov.au/newsroom/media-releases/2021-media-releases/june-2021/20210618-woolworths-litigation-media-release>

- ***University of Newcastle and Charles Sturt University sign Enforceable Undertakings after underpayments***

The University of Newcastle and Charles Sturt University are back-paying staff about \$6.2 million and \$3.2 million respectively, plus superannuation and interest, and have each signed an Enforceable Undertaking (EU) with the Fair Work Ombudsman.

<https://www.fairwork.gov.au/newsroom/media-releases/2022-media-releases/august-2022/20220830-newcastle-university-and-charles-sturt-university-eu-media-release>

- **University of Melbourne faces court**

The Fair Work Ombudsman has commenced legal action against The University of Melbourne, alleging it coerced and took adverse action against two casual academics to stop them from claiming payment for work performed.

(<https://www.fairwork.gov.au/newsroom/media-releases/2022-media-releases/august-2022/20220811-uni-of-melb-litigation-media-release>)

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Documents released by the Fair Work Ombudsman
Under the Freedom of Information

Issue: FWO | FWO Priorities and Enforcement Posture
PBS Pg No. 181-207
Contact: Ms Sandra Parker
Fair Work Ombudsman

Key Points

- The Fair Work Ombudsman (FWO) provides education, advice and a range of tailored dispute resolution tools to promote harmonious, productive, cooperative and compliant workplace relations. The FWO also enforces workplace laws both in response to requests for assistance and through FWO-initiated activities.
- The FWO's compliance and enforcement posture is designed to address non-compliance through the effective use of the agency's enforcement tools. The FWO utilises investigations, compliance notices and litigations to achieve strong results for the community, alongside the FWO's free online resources, Infoline and education work.
- As an independent regulator, the FWO's decisions are made in accordance with its publicly available Compliance and Enforcement Policy and must be impartial and independent of external parties.
- In determining the FWO's enforcement approach, the agency also considers its annual, evidence-based strategic compliance and enforcement priorities and public interest factors. These priorities guide where the FWO will invest its resources.
- The FWO's main priority in 2022-23 continues to be supporting workplaces as they recover from the impacts of COVID-19.
- Alongside this, the FWO is prioritising the following high-risk sectors and issues:
 - fast food, cafes and restaurants;
 - agriculture;
 - large corporates and universities;
 - sham contracting; and
 - contract cleaning.
- The FWO's annual strategic compliance and enforcement priorities guide the agency's investigations and activities each financial year, allowing the agency to strategically focus its resources on issues and sectors that its operational data, intelligence, experience and stakeholders indicate as having the highest risk of non-compliance.
- The FWO selected the universities sector as a new priority for 2022-23 in response to regular self-reports from universities regarding

significant underpayments. Agriculture is also a new priority, expanding upon the FWO's existing focus on the horticulture sector.

- In 2022-23, the FWO confirmed its enduring commitment to prioritise small business employers and employees and vulnerable workers. The FWO will continue to focus on matters that are of significant public interest, demonstrate a blatant disregard for the law, are of significant scale or impact on workers or the community, or can provide guidance on the application of the law.

Key Data

- In 2021-22, the FWO recovered more than \$532 million in unpaid wages for 384,805 workers. Further data is included in FWO's **Outcomes and Enforcement Data brief**.
- In 2021-22, the FWO continued to receive significant numbers of large corporate entities self-reporting non-compliance with their workplace obligations.
 - The FWO's work with large corporates recovered nearly \$279 million for over 267,000 employees – a record amount for large corporate recoveries in a single year.
- Key outcomes in the FWO's 2021-22 priority areas included:
 - Recovering more than \$13 million for over 4,000 underpaid FRAC employees. In addition, the FWO secured \$1.66 million in court-ordered penalties against FRAC employers for various breaches of the Fair Work Act 2009 (Cth).
 - Establishing an Agriculture Taskforce to undertake work associated with the FWO's Agriculture Strategy and delivering information and tools in response to piece work changes in the Horticulture Award 2010.
 - Recovering over a quarter of a million dollars (\$319,817) from sham contracting or misclassification disputes and issuing 45 Compliance Notices and 15 Infringement Notices.
 - Issuing 65 Compliance Notices, 21 Infringement Notices and commencing 6 litigations against contract cleaning businesses.

Research

- NIL

Media

- ***FWO recovers half a billion dollars in wages***

The Fair Work Ombudsman has announced that a record \$532 million in unpaid wages and entitlements was recovered for more than 384,000 workers in 2021-22.

(<https://www.fairwork.gov.au/newsroom/media-releases/2022-media-releases/august-2022/20220808-fwo-media-release-pir-speech-august-2022>).

- ***FWO announces 2022-23 priorities***

Fair Work Ombudsman Sandra Parker has announced the regulator's strategic priorities for the year ahead, adding the universities sector, while a key focus remains supporting workers and businesses as they recover from the impacts of COVID-19.

(<https://www.fairwork.gov.au/newsroom/media-releases/2022-media-releases/june-2022/20220622-fwo-2022-23-priorities-media-release>).

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Date Last Cleared	14 October 2022

Issue: FWO | FWO Outcomes and Enforcement Data
PBS Pg No. 181-207
Contact: Ms Sandra Parker
Fair Work Ombudsman

Key Points

- The Fair Work Ombudsman (FWO) continues to achieve strong results for the community, while remaining sufficiently flexible to respond to emerging challenges.
- In the 2021–22 financial year, the FWO recovered more than \$532 million for 384,805 workers. This is more than 2.5 times higher than the previous financial year and more than 3 times higher than 2019–20.
- In the 2021-22 financial year the FWO:
 - commenced 137 litigations, including against Coles Supermarkets and the Commonwealth Bank of Australia;
 - issued 492 infringement notices;
 - issued 2,345 Compliance Notices recovering more than \$20.2 million in underpaid wages; and
 - through enforceable undertakings, recovered over \$56.4 million in back-payments for workers and secured commitments from employers to improve their payroll systems.
- The FWO continued to focus on using compliance notices (CNs) as its primary enforcement tool. CNs are an effective tool to expeditiously fix underpayments where systemic compliance issues have not been identified.
- Where an employer fails to act on a CN, the FWO reserves the right to take court action. If the FWO is successful, the court can order the employer to repay the employee (under the terms of the original CN) and also impose a penalty for failing to comply with the CN.

Key Data

- Key FWO Enforcement data between July 2017 and June 2022.

	2021-22	2020-2021	2019-2020	2018-2019	2017-2018
Disputes completed	18,622	18,696	21,914	29,130	28,275
Total enforcement tools	2,983	2,633	1,621	877	877
<i>Infringement notices</i>	492	513	603	563	615
<i>Compliance notices</i>	2,345	2,025	952	274	220
<i>Enforceable Undertakings</i>	9	19	12	17	7
<i>Litigations</i>	137	76	54	23	35
Total recoveries	\$532,326,100	\$148,374,054	\$123,461,548	\$40,204,976	\$29,679,387
Court-ordered penalties	\$2,699,260	\$2,857,501	\$4,348,778	\$4,400,772	\$7,279,247
Number of employees paid	384,805	69,735	25,583	17,718	13,367

Research

- NIL

Media

- ***FWO recovers half a billion dollars in wages***

The Fair Work Ombudsman has announced that a record \$532 million in unpaid wages and entitlements was recovered for more than 384,000 workers in 2021-22. The recoveries sum was more than three times that of last year's record and benefitted five times the number of workers across the nation.

<https://www.fairwork.gov.au/newsroom/media-releases/2022-media-releases/august-2022/20220808-fwo-media-release-pir-speech-august-2022>.

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Date Last Cleared	14 October 2022

Issue: FWO | FWO's role in Pacific Labour Mobility and Agriculture
PBS Pg No. 187-189
Contact: Ms Sandra Parker
Fair Work Ombudsman

Key Points

Agriculture

- Agriculture is a priority for the Fair Work Ombudsman (FWO) in 2022-2023 because of several characteristics that make it high risk for non-compliance, including:
 - the type of people seeking work (often visa holders, including workers employed under the Pacific Australia Labour Mobility scheme);
 - the nature of the work (manually intensive, often low-skilled and seasonal); and
 - the way labour is procured (complex supply chains and labour hire arrangements).
- In December 2021, the FWO commenced its Agriculture Strategy (the Strategy) to enhance compliance amongst participants in the horticulture, viticulture and agriculture sectors.
- The Strategy enables the FWO to effectively target its resources while remaining flexible to respond to emerging issues and intelligence. It is informed by engagement with sector stakeholders, including employer representatives and unions. The FWO continues to consult regularly with these stakeholders.
- As part of its Strategy, the FWO has identified 15 regions where it is focusing its resources, with a minimum of 300 employers (growers and labour hire entities) to be investigated.

Pacific Australia Labour Mobility (PALM) scheme

- Two Pacific Labour Mobility programs, the Seasonal Worker Programme (SWP) and the Pacific Labour Scheme (PLS), were consolidated under the Pacific Australia Labour Mobility (PALM) scheme in April 2022.
 - The SWP and PLS continue to operate as 2 separate programs under the PALM scheme, while PALM Scheme program settings are introduced in stages.
- Since 1 July 2022, the PALM scheme has been jointly managed by the Department of Foreign Affairs and Trade (DFAT) and the Department of Employment and Workplace Relations (DEWR) with support from the Pacific Labour Facility (PLF).

- PALM scheme participants have the same workplace rights and protections as all other employees in Australia.
- The FWO's role in the PALM scheme involves:
 - conducting investigations and proactive audit activities;
 - conducting workplace compliance history checks on potential 'Approved Employers' seeking to participate in the PALM scheme;
 - conducting on-arrival briefings for seasonal workers;
 - developing and delivering information about the PALM scheme on fairwork.gov.au, including information about workplace rights and entitlements and relevant resources;
 - developing educational resources for participants; and
 - providing workplace relations education and advice to the administering departments, program participants and the PLF.
- The FWO engages closely with the administering departments and PALM scheme stakeholders, and regularly attends governance and consultative fora to support the whole-of-government approach to maintaining the integrity of the PALM scheme.

Key Data

- In 2021–22, the FWO recovered nearly \$300,000 in unpaid wages for 194 employees in the horticulture sector.
- Recent examples of proactive investigations conducted by the FWO in the agriculture sector include:
 - In February and July this year, inspectors investigated 32 businesses in the Riverland and have so far issued seven Infringement Notices for \$13,764, with the remaining investigations ongoing.
 - In March this year during picking season, Fair Work Inspectors investigated a total of 35 viticulture businesses in Margaret River, Western Australia; Coonawarra, South Australia; and in the Yarra Valley in Victoria. They issued six Infringement Notices with fines totalling \$22,200, with 16 investigations remaining active as at 8 September 2022.
- In 2021-22, the FWO conducted 41 investigations of Approved Employers of the SWP, issued six Compliance Notices and recovered \$78,303 for 528 workers.
- In the same period, the FWO completed audits for 206 PLS workers involving nine Approved Employers, issued six Compliance Notices and recovered \$18,178 for 30 workers.

- As at 30 June 2022, the FWO had 15 open investigations involving Approved Employers with workers engaged under the PALM scheme.

Research

- NIL

Media

Fair Work Ombudsman continues farm inspections

- The Fair Work Ombudsman has continued to monitor workplace compliance in the agriculture sector with inspectors investigating more than 190 businesses in four states to ensure workers are getting the right pay.

(<https://www.fairwork.gov.au/newsroom/media-releases/2022-media-releases/september-2022/20220908-agriculture-inspections-september-2022-media-release>).

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Date Last Cleared	26 October 2022

Issue: FWO | FWO Migrant Workers, Reforms and Protocols
PBS Pg No. 181-207
Contact: Ms Sandra Parker
Fair Work Ombudsman

Key Points

- Migrant workers in Australia have the same workplace rights and protections, and are entitled to the same minimum rates of pay, as other workers regardless of their visa type.
- Protecting vulnerable workers, including migrant workers, is an enduring priority for the Fair Work Ombudsman (FWO). The agency prioritises industries with a higher proportion of vulnerable workers.
- Despite only making up around 4% of the Australian workforce, in 2021–22 migrant workers accounted for 18% of all anonymous reports received and 26% of all litigations initiated.
- The FWO takes a very firm compliance and enforcement approach when migrant workers are exploited, and in 2021-22 secured over \$1.7 million in court ordered penalties in cases involving migrant workers.
- The FWO works across Government to share information to detect and disrupt employers who exploit vulnerable migrant workers. The FWO also participates in the Migrant Workers Interagency Group, collaborating with other government agencies on the implementation of government policy and the recommendations of the Migrant Worker Taskforce.
 - The FWO prioritises education and engagement activities with migrant workers to ensure they understand their entitlements and how to seek assistance from the FWO. Resources include:
 - A dedicated section of the FWO website with information for visa holders and migrant workers.
 - A suite of translated information and resources, as well as an automatic translation tool that enables most pages across the website to be translated into over 30 languages.
 - Dedicated FWO webinars including in-language webinars tailored for migrant workers and employers.

Key Data

- The \$1.7 million in court ordered penalties in FWO cases involving migrant workers in 2021-22 included:
 - In June, the FWO secured a total of \$355,000 in penalties against the operators of a Brisbane sushi restaurant, Delishesco, one of

the highest penalties ever obtained by the FWO. The court found that the employer deliberately underpaid 34 employees, including young Chinese, Japanese, Korean and Thai visa holders, a total of \$75,716 and then provided the FWO with records it knew to be false and misleading during an investigation.

- In May 2022, the FWO secured \$204,000 in penalties against the operators of a Brisbane fast food business after they used false records to try to frustrate an investigation. The FWO investigated after receiving a request from a Nepalese visa holder employed as a casual kitchenhand claiming he was being paid \$11 to \$13 an hour.

Research

- NIL

Media

- ***\$355,000 penalties for Brisbane sushi restaurant***

The Fair Work Ombudsman has secured a total of \$355,000 in penalties in court against the operators of a Brisbane sushi restaurant after they deliberately underpaid employees and falsified records. (<https://www.fairwork.gov.au/newsroom/media-releases/2022-media-releases/july-2022/20220706-delishesco-penalty-media-release>).

- ***\$204,000 penalties for Brisbane fast food operators***

The Fair Work Ombudsman has secured a total of \$204,000 in penalties in court against the operators of a Brisbane fast food business after they used false records to try to frustrate an investigation. (<https://www.fairwork.gov.au/newsroom/media-releases/2022-media-releases/june-2022/20220620-riddhi-siddhi-penalty-media-release>).

Last Cleared By	§ 22 Irrelevant Information
Date Last Cleared	14 October 2022

Issue: FWO | FWO Support for Small Businesses
PBS Pg No. 181-207
Contact: Ms Sandra Parker
Fair Work Ombudsman

Key Points

- The Fair Work Ombudsman (FWO) has an enduring commitment to prioritise support for small business, recognising that they often have limited time and no in-house support when it comes to compliance with workplace laws.
- To effectively support small business employers and employees as they recover from the impacts of COVID-19, the FWO has developed a Small Business Strategy.
- The Strategy guides and co-ordinates the significant work undertaken across the FWO to support small business, complementing the FWO's existing initiatives including the Employer Advisory Service, the FWO's Small Business Helpline and a Small Business Showcase.
- All of FWO's small business services are provided free of charge.
- The FWO's dedicated Small Business Helpline, answered over 56,000 calls in the 2021-22 financial year.
- The dedicated Small Business Showcase on the FWO's website houses information, tools and resources to assist small businesses to understand workplace rights and obligations from hiring employees, to paying employees, managing employees and ending employment. This information is updated regularly to ensure it is accurate, relevant and up to date.
- The Employer Advisory Service was launched in July 2021 and offers small business customers written technical advice that is tailored to meet their needs, gives them greater confidence in complying with their workplace obligations and reduces the likelihood of wage underpayments occurring.
- As at 30 June 2022, the service had issued over 1,300 pieces of tailored written advice to small businesses.
- The FWO also regularly engages with small business stakeholders, intermediaries and other government agencies to discuss issues impacting small business, provide information and resources and raise general awareness of the support which the FWO can provide.

Research

Employer Advisory Service

- In March-April 2022 a survey was conducted with Employer Advisory Service customers, with results indicating there was an overall satisfaction rating of 87%, with 92% of respondents saying they would access the Employer Advisory Service again.

Media

- ***FWO announces 2022-23 priorities***

Fair Work Ombudsman Sandra Parker has announced the regulator's strategic priorities for the year ahead, adding the universities sector, while a key focus remains supporting workers and businesses as they recover from the impacts of COVID-19.

(<https://www.fairwork.gov.au/newsroom/media-releases/2022-media-releases/june-2022/20220622-fwo-2022-23-priorities-media-release>).

- ***FWO recovers half a billion dollars in wages***

The Fair Work Ombudsman has announced that a record \$532 million in unpaid wages and entitlements was recovered for more than 384,000 workers in 2021-22.

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