

## Enquiry

# 0985258

Enquiry No.  
0985258

Status  
Resolved

Status Reason  
Self-Resolution

Total Time Open (days)  
3

### ENQUIRY

No of employees

Channel

Inbound Phone

#### EMPLOYEE DETAILS

Enquiry Type Level 1

Entitlements

State

Qld

Occupation

Enquiry Type Level 2

Penalty Rates

Matter Number (Nexus)

Main Duties

Bartender

Matter ID number (Titan)

Employee Status

Casual

Awaiting Accept/Decline No

Related Enquiry

Is apprentice or trainee?

s.22

Created On

25/06/2018 2:46 PM

Employment start date

#### CUSTOMER/ORGANISATION

Customer

s.22 Irrelevant matter deleted

Legal Name

JIMMY'S ON THE MALL  
PTY LIMITED

Employment end date

Enquirer Type

Existing employee

Aboriginal /Torres  
Strait Islander

Mature-age person

Disability

s.22 Irrelevant matter

Non-english  
speaking

Pregnant

Outworker

s.22 Irrelevant matter

#### EMPLOYEE LOCATION

Suburb

Postcode

Student

Young person

Visa Type

s.22 Irrelevant matter deleted

State

**ORGANISATION DETAILS**

**NOMINATED TO ACT ON CUSTOMER'S BEHALF**

**Full Name**

**Phone**

**Email**

**ATTEND FWO OFFICE**

**Can attend FWO office (if required)** No


**Interpreter Required** No

**FWO Office**

ATIS Phone number: 1800 131 450

Infoline:  
Account  
number  
s.22  
Irrelevant  
Access  
number  
s.22  
Irrelevant

Customer Solutions: Account number s.22  
number s.22  
Irrelevant

**Industry Level 1**  Accommodation and Food Services

**Industry Level 2**  Food and Beverage Services

**Industry Level 3**  Cafes, Restaurants and Takeaway Food Services

**Industry Level 4**  Cafes and Restaurants

**Instrument Type**  Modern Award

**Employer Association**

**Pre-Post Reform**

**Bound To Award**

**ENQUIRY DETAILS**

**DESCRIPTION**

s.22 Irrelevant information

Current \$22.86  
EE believes MA09 Hospitality coverage  
Venue has function room attached.  
Considered MA119. MA09 would likely apply. Rates are consistent.  
  
EE has heard should be paid Sunday penalty rates. Would this apply?  
  
EE has raised with ER who are refusing to pay penalty rates & state they only pay flat rate.  
EE seeking further guidance on communication with ER moving forward.

**ACTIONS & SOLUTIONS**

Current penalty rate under MA09  
Sat 150% ordinary rate  
Sunday 175% ordinary rate  
  
\*\*\*EE appears to be paid at introductory level under MA09 at \$22.86 per hour flat rate.  
Penalties/overtime not received. An EE will only be classified at this level on entering the industry between 0-3 months employment (D.1)  
  
Food and beverage attendant grade 2  
Casual - Current ROP  
\$24.41

## Enquiry

# 1096457

Enquiry No.  
1096457

Status  
Resolved

Status Reason  
Assisted Resolution

Total Time Open (days)  
1

### ENQUIRY

No of employees

Channel

Inbound Phone

#### EMPLOYEE DETAILS

Enquiry Type Level 1

Wages

State

Qld

Occupation

Enquiry Type Level 2

General

Matter Number (Nexus)

Main Duties

Bartender

Matter ID number (Titan)

Employee Status

Casual

Awaiting Accept/Decline No

Related Enquiry

Is apprentice or trainee? Neither

Created On 18/09/2018 1:12 PM

Employment start date

#### CUSTOMER/ORGANISATION

Employment end date

Customer

s.22 Irrelevant matter deleted

Legal Name

STAFF SERVICES  
EMPLOYMENT PTY LTD

Aboriginal /Torres  
Strait Islander

Mature-age person

Disability

Enquirer Type

Employee no longer  
employed

s.22 Irrelevant m

s.22 Irrelevant matter deleted

Non-english  
speaking

Pregnant

Outworker

#### EMPLOYEE LOCATION

s.22 Irrelevant m

s.22 Irrelevant matter deleted

Suburb

Postcode

Student

Young person

Visa Type

s.22 Irrelevant matter deleted

State

**ORGANISATION DETAILS**

**NOMINATED TO ACT ON CUSTOMER'S BEHALF**

**Full Name**

**Phone**

**Email**

**ATTEND FWO OFFICE**

**Can attend FWO office (if required)** No

**Interpreter Required**

No

**FWO Office**

**Language**

ATIS Phone number: 1800 131 450

Infoline:  
Account  
number


s.22 Irrelevant information

Access  
number


s.22 Irrelevant inform

Customer Solutions: Account number s.22 Irrelevant Access  
number s.22 Irrelevant


**Industry Level 1**

 Administrative and Support Services


**Industry Level 2**

 Administrative Services


**Industry Level 3**

 Employment Services

**Industry Level 4**

 Labour Supply Services

**Instrument Type**

 Modern Award

**Employer Association**

**Pre-Post Reform**

**Bound To Award**

**ENQUIRY DETAILS**

**DESCRIPTION**

EE has been paid \$23.60 flat rate.  
EE has not been paid penalty rates.  
EE was not paid for compulsory induction session.

EE believes s.22 Irrelevant is owed \$400.

ER has been contacted in writing and says there is an agreement in place. Will not write to EE, wants everything to be done in person.

**ENQUIRY TREATMENT & SUMMARY**

**ACTIONS & SOLUTIONS**

EIT Assistance Provided:  
18/9: Provided tools for self-res (guides/website links/example letters) - record of conversation in Notes/Interactions and emails in documents folder

s.22 Irrelevant Inform

\*\*search while talking to EE found  
<https://www.fwc.gov.au/documents/documents/agreements/fwa/ae423077.pdf> which appears to cover EE's employment\*\*

\*\*\*\*\*

FLV Advice:

## Enquiry

# 1144602

Enquiry No. 1144602	Status Resolved	Status Reason Self-Resolution	Total Time Open (days) 54
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### ENQUIRY

No of employees

Channel

Inbound Phone

#### EMPLOYEE DETAILS

Enquiry Type Level 1

Record Keeping

State

Qld

Occupation

Enquiry Type Level 2

Time Sheets

Matter Number (Nexus)

Main Duties

Restaurant managers

Matter ID number (Titan)

Employee Status

Full-time

Awaiting Accept/Decline No

Related Enquiry

Is apprentice or trainee? Neither

Created On 31/10/2018 2:06 PM

Employment start date

#### CUSTOMER/ORGANISATION

Employment end date

Customer

s.22 Irrelevant matter deleted

Legal Name

JIMMY'S ON THE MALL  
PTY LIMITED

Aboriginal /Torres  
Strait Islander

Mature-age person

Disability

Enquirer Type

Employee no longer  
employed

s.22

s.22 Irrelevant matter

Non-english  
speaking

Pregnant

Outworker

#### EMPLOYEE LOCATION

s.22

s.22

s.22

Suburb

Postcode

Student

Young person

Visa Type

State

s.22 Irrelevant matter

s.22 Irrelevant  
matter deleted

**ORGANISATION DETAILS**

**NOMINATED TO ACT ON CUSTOMER'S BEHALF**

**Full Name**

**Phone**

**Email**

**ATTEND FWO OFFICE**

**Can attend FWO office (if required)** No

**Interpreter Required** No

**FWO Office**

ATIS Phone number: 1800 131 450

Infoline:  
Account  
number  
Access  
number

**Language**

Customer Solutions: Account number Access  
number

**Industry Level 1**

Accommodation and Food Services

**Industry Level 2**

Food and Beverage Services

**Industry Level 3**

Cafes, Restaurants and Takeaway Food Services

**Industry Level 4**

Cafes and Restaurants

**Instrument Type**

Fair Work Act

**Employer Association**

**Pre-Post Reform**

**Bound To Award**

**ENQUIRY DETAILS**

**DESCRIPTION**

Customer enquiring about a variety of issues - he was previously working at this restaurant and states that they were required to sign false timesheets saying they worked 38 hours. EEs were actually required to work for over 50+ hours. EEs salary was \$75,000 and EE had to take money out of an ATM to pay for own (EE took \$3000 cash out of a machine) ER put this money into their business and then made it look like they paid for EE doesn't have access to work email anymore but says can produce a copy of bank statements

**ACTIONS & SOLUTIONS**

May not be a breach of monetary award entitlements for EE. Referred to Department of Home Affairs regarding not being paid his nominated salary

**Mediation Conducted** Yes

**Forward Reason** Referred to Mediation

## Enquiry

# 1179320

Enquiry No. 1179320	Status Resolved	Status Reason Assisted Resolution	Total Time Open (days) 5
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### ENQUIRY

No of employees	60	Channel	Inbound Phone
Enquiry Type Level 1	Wages	State	NSW
Enquiry Type Level 2	General	Matter Number (Nexus)	
		Matter ID number (Titan)	
Awaiting Accept/Decline	No	Related Enquiry	
Created On	28/11/2018 5:44 PM		

### EMPLOYEE DETAILS

Occupation	sous chef
Main Duties	senior sous chef
Employee Status	Full-time
Is apprentice or trainee?	Neither
Employment start date	

### CUSTOMER/ORGANISATION

Customer	<b>s.22 Irrelevant matter deleted</b>	Legal Name	JIMMY'S ON THE MALL PTY LIMITED
Enquirer Type	Employee no longer employed		

Employment end date	
Aboriginal /Torres Strait Islander	<b>s.22</b>
Mature-age person	<b>s.22 Irrelevant matter</b>
Disability	
Non-english speaking	<b>s.22</b>
Pregnant	<b>s.22 Irrelevant matter</b>
Outworker	

### EMPLOYEE LOCATION

Suburb		Postcode		Student	<b>s.22 Irrelevant matter deleted</b>	Young person		Visa Type
State								

**ORGANISATION DETAILS**

**NOMINATED TO ACT ON CUSTOMER'S BEHALF**

Full Name

Phone

Email

**ATTEND FWO OFFICE**

Can attend FWO office (if required) No

Interpreter Required No

FWO Office

Language

ATIS Phone number: 1800 131 450

Infoline:  
Account  
number

Access  
number

Customer Solutions: Account number  
number

Industry Level 1 Accommodation and Food Services

Industry Level 2 Food and Beverage Services

Industry Level 3 Cafes, Restaurants and Takeaway Food Services

Industry Level 4 Cafes and Restaurants

Instrument Type Fair Work Act

Employer Association

Pre-Post Reform

Bound To Award

**ENQUIRY DETAILS**

**DESCRIPTION**

Squires Landing The Rocks Sydney  
E'er owes approx \$7,000 - \$8,000 in wage shortfalls  
Has emailed e'er who responded that e' had actually been overpaid. E'ee has sent letter of demand. E'er classified as level 4, e'ee has costed as level 6.

**ACTIONS & SOLUTIONS**

Escalations WA

s.22 Irrelevant information

MA000119 - clause 28

28.2 The employer must keep all records relating to the starting and finishing times of employees to whom this clause applies. This record must be signed weekly by the employee. This is to enable the employer to carry out a reconciliation at the end of each year comparing the employee's ordinary wage under this award and the actual payment. Where such a comparison reveals a shortfall in the employee's wages, then the employee must be paid the difference between the wages earned under the award and the actual amount paid.

**ENQUIRY TREATMENT & SUMMARY**

Team Treatment One person interventions  
Dispute Resolution



## Enquiry

# 1195000

Enquiry No. 1195000	Status Resolved	Status Reason Self-Resolution	Total Time Open (days) 35
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### ENQUIRY

<b>No of employees</b>	<b>Channel</b>	<b>Inbound Phone</b>	<b>EMPLOYEE DETAILS</b>	
<b>Enquiry Type Level 1</b>	Entitlements	<b>State</b>	<b>Occupation</b>	
<b>Enquiry Type Level 2</b>	Other	<b>Matter Number (Nexus)</b>	<b>Main Duties</b>	Restaurant manager
		<b>Matter ID number (Titan)</b>		
<b>Awaiting Accept/Decline</b>	No	<b>Related Enquiry</b>	<b>Employee Status</b>	Full-time
<b>Created On</b>	11/12/2018 11:07 AM		<b>Is apprentice or trainee?</b>	Neither
			<b>Employment start date</b>	

### CUSTOMER/ORGANISATION

<b>Customer</b>	s.22 Irrelevant matter deleted	<b>Legal Name</b>	JIMMY'S ON THE MALL PTY LIMITED	<b>Employment end date</b>	
<b>Enquirer Type</b>	Employee no longer employed			<b>Aboriginal /Torres Strait Islander</b>	<b>Mature-age person</b>
				s.22	s.22 Irrelevant matter
				<b>Non-english speaking</b>	<b>Pregnant</b>
				s.22	s.22 Irrelevant matter

### EMPLOYEE LOCATION

<b>Suburb</b>	<b>Postcode</b>	<b>Student</b>	<b>Young person</b>	<b>Visa Type</b>
		s.22 Irrelevant matter		
<b>State</b>				

**ORGANISATION DETAILS**

**NOMINATED TO ACT ON CUSTOMER'S BEHALF**

**Full Name**

**Phone**

**Email**

**ATTEND FWO OFFICE**

**Can attend FWO office (if required)** No

**Interpreter Required**

No

**FWO Office**

**Language**

ATIS Phone number: 1800 131 450

Infoline:  
Account  
number

s.22 Irrelevant information

Access  
number

s.22 Irrelevant information

Customer Solutions: Account number [redacted] Access  
number [redacted]

s.22 Irrelevant info

**Industry Level 1**

Accommodation and Food Services

**Industry Level 2**

Food and Beverage Services

**Industry Level 3**

Cafes, Restaurants and Takeaway Food Services

**Industry Level 4**

Cafes and Restaurants

**Instrument Type**

Fair Work Act

**Employer Association**

**Pre-Post Reform**

**Bound To Award**

**ENQUIRY DETAILS**

**DESCRIPTION**

**ACTIONS & SOLUTIONS**

Employee seeking reimbursement for paying VISA fees - \$3000 and overtime penalty rates to the approx. value of \$26000

**ENQUIRY TREATMENT & SUMMARY**

**Mediation Conducted** No

**Team Treatment**

**Forward Reason** Referred to Mediation

**Recommended Treatment**

**FWO Outcome** Self-Resolution

## Enquiry

# 1485751

Enquiry No. 1485751	Status Resolved	Status Reason Self-Resolution	Total Time Open (days) 1
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### ENQUIRY

<b>No of employees</b>	70	<b>Channel</b>	Inbound Phone
<b>Enquiry Type Level 1</b>	Entitlements	<b>State</b>	NSW
<b>Enquiry Type Level 2</b>	Hours of Work	<b>Matter Number (Nexus)</b>	
		<b>Matter ID number (Titan)</b>	
<b>Awaiting Accept/Decline</b>	No	<b>Related Enquiry</b>	
<b>Created On</b>	30/07/2019 4:14 PM		

### EMPLOYEE DETAILS

<b>Occupation</b>	
<b>Main Duties</b>	assitant venue manager 10-12 hospitality venues
<b>Employee Status</b>	Full-time
<b>Is apprentice or trainee?</b>	Neither
<b>Employment start date</b>	
<b>Employment end date</b>	

### CUSTOMER/ORGANISATION

<b>Customer</b>	s.22 Irrelevant matter deleted	<b>Legal Name</b>	JIMMY'S ON THE MALL PTY LIMITED
<b>Enquirer Type</b>	Existing employee		

<b>Aboriginal /Torres Strait Islander</b>	<b>Mature-age person</b>	<b>Disability</b>
s.22	s.22 Irrelevant matter deleted	
<b>Non-english speaking</b>	<b>Pregnant</b>	<b>Outworker</b>
s.22	s.22 Irrelevant matter	

### EMPLOYEE LOCATION

<b>Suburb</b>	<b>Postcode</b>	<b>Student</b>	<b>Young person</b>	<b>Visa Type</b>
		s.22 Irrelevant matter deleted		
<b>State</b>				

**NOMINATED TO ACT ON CUSTOMER'S BEHALF**

**Full Name**

**Phone**

**Email**

**ATTEND FWO OFFICE**

**Can attend FWO office (if required)** No

**Interpreter Required** No

**FWO Office**

ATIS Phone number: 1800 131 450

Infoline:  
Account  
number  
Access  
number

Customer Solutions: Account number Access  
number

**ORGANISATION DETAILS**

**Industry Level 1** Accommodation and Food Services

**Industry Level 2** Food and Beverage Services

**Industry Level 3** Cafes, Restaurants and Takeaway Food Services

**Industry Level 4** Cafes and Restaurants

**Instrument Type** Multiple Types of Instrument

**Employer Association**

**Pre-Post Reform**

**Bound To Award**

**ENQUIRY DETAILS**

**DESCRIPTION**

minimum 50 hours a week  
payslips  
if annual rate of pay  
does it need to give hourly rate

EE oversees the duty managers as well  
28 per hour

**ENQUIRY TREATMENT & SUMMARY**

**Team Treatment**

**ACTIONS & SOLUTIONS**

<https://www.fwc.gov.au/documents/awards/tracee/agreements/pdf/ag798483.pdf>  
or modern award  
ee claiming she is higher than the award

<https://www.fairwork.gov.au/pay/pay-slips-and-record-keeping/pay-slips>  
just the full pay rate

explained how OT works in regards annualised salary

## Enquiry

# 1491426

Enquiry No. 1491426	Status Resolved	Status Reason Referred Internally	Total Time Open (days) 1
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### ENQUIRY

<b>No of employees</b>	<b>Channel</b>	<b>Inbound Phone</b>	<b>EMPLOYEE DETAILS</b>	
<b>Enquiry Type Level 1</b>	Entitlements	<b>State</b>	<b>Occupation</b>	
<b>Enquiry Type Level 2</b>	Penalty Rates	<b>Matter Number (Nexus)</b>	<b>Main Duties</b>	Bartender
<b>Awaiting Accept/Decline</b>	No	<b>Matter ID number (Titan)</b>	s.22 Irrelevant matter deleted	
<b>Created On</b>	5/08/2019 10:16 AM	<b>Related Enquiry</b>	<b>Employee Status</b>	Casual
<b>CUSTOMER/ORGANISATION</b>			<b>Is apprentice or trainee?</b>	Neither
<b>Customer</b>	s.22 Irrelevant matter deleted	<b>Legal Name</b>	<b>Employment start date</b>	s.22 Irrelevant information
<b>Enquirer Type</b>	Employee no longer employed	STAFF SERVICES EMPLOYMENT PTY LTD	<b>Employment end date</b>	
<b>EMPLOYEE LOCATION</b>			<b>Aboriginal /Torres Strait Islander</b>	<b>Mature-age person</b> Disability
<b>Suburb</b>			s.22	s.22 Irrelevant matter
<b>State</b>			<b>Non-english speaking</b>	<b>Pregnant</b> Outworker
			s.22	s.22 Irrelevant matter deleted
			<b>Student</b> Young person Visa Type	
			s.22 Irrelevant matter	

**ORGANISATION DETAILS**

**NOMINATED TO ACT ON CUSTOMER'S BEHALF**

**Full Name**

**Phone**

**Email**

**ATTEND FWO OFFICE**

**Can attend FWO office (if required)** No

**Interpreter Required** No

**FWO Office**

**Language**

ATIS Phone number: 1800 131 450

Infoline:  
Account  
number

Customer Solutions: Account number [redacted] access

[redacted]  
Access  
number  
[redacted]

**Industry Level 1** Administrative and Support Services

**Industry Level 2** Administrative Services

**Industry Level 3** Employment Services

**Industry Level 4** Labour Supply Services

**Instrument Type** Modern Award

**Employer Association**

**Pre-Post Reform**

**Bound To Award**

**ENQUIRY DETAILS**

**DESCRIPTION**

**ACTIONS & SOLUTIONS**

55109640360  
Mantle Group Hospitality - Pub/Restaurant  
Resigned  
\$23.60 started and in July \$24.36  
Are there penalties on weekends? Wondering as [redacted] heard about Made group in the media.  
Massive group - 4-5 Pig n Whistle they also own other pubs in other states.  
- No penalties paid for weekends.  
- Docking pay when a table doesn't pay.  
- They sent a message to all bartenders (about 20 staff) that because of missing stock they would be docking \$50 off all bartenders pay.  
- They would not pay for travel between venues they would make [redacted] take [redacted] break to walk

Hospitality Award?  
Level 2 food and beverage attendant grade 2  
\$26.03  
Level 3 food and beverage attendant grade 3  
\$26.93  
Saturday - \$31.23  
Sunday - \$36.44  
Use of PACT -  
Deductions to pay -

from venue A to venue B.  
 - Asked to attend staff meetings without pay. If you didn't attend they would reduce hours.

Deductions that aren't allowed  
 An employer can't deduct money if:  
 •it benefits the employer directly or indirectly and is unreasonable in the circumstances, or  
 •the employee is under 18 years of age and their parent or guardian hasn't agreed in writing.  
 This is the case even if the deduction is made in accordance with an award, registered agreement or contract.

**ENQUIRY TREATMENT & SUMMARY**

**Team Treatment**

**Recommended Treatment** Potential Compliance

**Assessment Summary** Nexus - History - 2x matters in 2012  
 No active matters in Titan  
 Extensive CNET history  
 Discussed with CC [redacted] - referral to potential compliance.

**\*\*OWT\*\***  
 Industry is a FWO priority - FRAC and Supply chain  
 OWT requested an Intel report on the Mantle Group in Dec 2018  
 Staff Services Employment is a part of the Mantle Group of companies  
 MID - Penalty rates/not paid for time worked/unauthorised deductions  
 Allegations if proven could lead to an enforcement outcome

**Mediation Conducted** No

**Forward Reason** Referred to Compliance

**FWO Outcome** Referred Internally

**DETAILS FOR KNOWLEDGE TEAM**

**DETAILS FOR KNOWLEDGE TEAM**

**Background Information**

**Specific questions/issue to be addressed**

**Recommending Team Lead**

**Legislation/ Industrial instruments considered**

**Quality Coach/TL Opinion**

**MONIES RECOVERED**

**Total (all non-confidential payments)**

**Total employees paid relating to enquiry**

Payment Type	Confidential	Amount	Created On	Created By	Payment Date	No. of Employee
No Money Recovered records are available in this view.						

## Enquiry

# 1544418

Enquiry No. 1544418	Status Resolved	Status Reason Advice Provided	Total Time Open (days) 8
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### ENQUIRY

<b>No of employees</b>	80	<b>Channel</b>	My Account
<b>Enquiry Type Level 1</b>	Entitlements	<b>State</b>	NSW
<b>Enquiry Type Level 2</b>	Overtime	<b>Matter Number (Nexus)</b>	
		<b>Matter ID number (Titan)</b>	s.22 Irrelevant
<b>Awaiting Accept/Decline</b>	No	<b>Related Enquiry</b>	1542977
<b>Created On</b>	17/09/2019 4:33 PM		

### EMPLOYEE DETAILS

<b>Occupation</b>	sous chef
<b>Main Duties</b>	<ul style="list-style-type: none"> <li>• Assisted with menu development for functions and in house occasions, emphasizing Grill, Pasta and seafood dishes up to 60 guests.</li> <li>• Responsible for interviewing, hiring and rostering staff members.</li> <li>• Enforced quality control and health and safety plan in place</li> <li>• Maintained inventory followed by periodic stock take and ordering.</li> <li>• Motivated staff members for synchronised kitchen operation.</li> <li>• Delegated daily kitchen duties among staff members.</li> <li>• Worked in conjunction with the head chef and managers to manage food budgets.</li> </ul>

### CUSTOMER/ORGANISATION

<b>Customer</b>	s.22 Irrelevant matter deleted	<b>Legal Name</b>	STAFF SERVICES EMPLOYMENT PTY LTD
<b>Enquirer Type</b>	Employee no longer employed		

<b>Employee Status</b>	Full-time
<b>Is apprentice or trainee?</b>	Neither

### EMPLOYEE LOCATION

<b>Suburb</b>	WEST RYDE	<b>Postcode</b>	2114
<b>State</b>	NSW		

<b>Employment start date</b>	s.22 Irrelevant information
<b>Employment end date</b>	



<b>NOMINATED TO ACT ON CUSTOMER'S BEHALF</b>			<b>Aboriginal /Torres Strait Islander</b> s.22	<b>Mature-age person</b> s.22 Irrelevant matter	<b>Disability</b> [Redacted]
<b>Full Name</b>			<b>Non-english speaking</b> s.22	<b>Pregnant</b> s.22 Irrelevant matter deleted	<b>Outworker</b>
<b>Phone</b>	<b>Email</b>		<b>Student</b> s.22 Irrelevant matter	<b>Young person</b>	<b>Visa Type</b>
<b>ATTEND FWO OFFICE</b>			<b>ORGANISATION DETAILS</b>		
<b>Can attend FWO office (if required)</b>	Yes	<b>Interpreter Required</b>	No	<b>Industry Level 1</b>	Administrative and Support Services
<b>FWO Office</b>	NSW - Sydney	<b>Language</b>		<b>Industry Level 2</b>	Administrative Services
ATIS Phone number: 1800 131 450	Infoline: Account number s.22 Irrelevant information Access number s.22 Irrelevant information	Customer Solutions: Account number s.22 Irrelevant information	Access	<b>Industry Level 3</b>	Employment Services
				<b>Industry Level 4</b>	Labour Supply Services
				<b>Instrument Type</b>	Enterprise Agreement (Fair Work)
				<b>Employer Association</b>	
				<b>Pre-Post Reform</b>	
				<b>Bound To Award</b>	

**ENQUIRY DETAILS**

**DESCRIPTION**

ref to previous inquiry No. 1542977 | (14/05/2018 - 4/06/2018)  
 Pay for 4wks/152 hours under 60,000 pa : \$4615.4  
 overtime hours (167.35 - 152) or 15.35 hours  
 a) 21.29 X 1.5 X first 3 hrs :\$95.8  
 b) 21.29 X 2 X remaining 12.35 hrs :\$525.86  
 Total :\$5237

**ACTIONS & SOLUTIONS**

Hi [Redacted]

Thank you for your wages enquiry.

As discussed I have provided you with further information to assist you to assess your claim, and further information regarding your options, should you wish to pursue the matter

(11/06/2018 - 2/07/2018)  
 pay for 4wks/152 hours under 60,000 pa :4615.4  
 overtime hours (186.5 - 152) or 34.50 hours  
 a) 21.29 X 1.5 X first 3 hrs :\$95.8  
 b) 21.29 X 2 X remaining 31.5 hrs :\$1341.28  
 Total :\$6052.48  
 (09/07/2018 - 30/07/2018)  
 Pay for 4wks/152 hours under 60,000 pa :\$4615.4  
 overtime hours (163 - 152) or 11 hours  
 a) 21.29 X 1.5 X first 3 hrs :\$95.8  
 b) 21.29 X 2 X remaining 8 hrs :\$340.64  
 Total :\$5051.84

Grand Total ( 5237 + 6052.48 + 5051.84) :\$16,341.32  
 Total received from the company :\$12373.94  
 Outstanding pay :\$3,967.39

**ENQUIRY TREATMENT & SUMMARY**

**Team Treatment**

**Recommended Treatment**

Potential Compliance

**Assessment Summary**

Pay & Wages : (OVERTIME)  
 Other employees affected : (Yes)  
 Automated Assessment conducted on Tuesday, 17 September 2019.  
 (ver. 18.11.29)

Customer received tech advice in enquiry 1542977 - advised to calculate if better off overall  
 EBA:  
<https://www.fwc.gov.au/documents/awards/tracee/agreements/pdf/ag798483.pdf>

\*\*\* Escalated to level 2: potential compliance  
 Recommendation: compliance

Related strategic priority: FRAC industry, vulnerable worker (indicated that they are non-English speaking)

Factors to the compliance and enforcement policy: part of Mantle Group, previous interest from compliance in this group, closed titan matter, extensive CNET history regarding underpayments

further.

Kind Regards,

s.22 Irrelevant

CST  
 Fair Work Ombudsman

---

<b>Mediation Conducted</b>	No
<b>Forward Reason</b>	Referred to Early Intervention Team
<b>FWO Outcome</b>	Advice Provided

## Enquiry

# 1570101

Enquiry No. 1570101	Status Resolved	Status Reason Referred Internally	Total Time Open (days) 13
------------------------	--------------------	--------------------------------------	------------------------------

### ENQUIRY

No of employees	70	Channel	Inbound Phone
Enquiry Type Level 1	Entitlements	State	NSW
Enquiry Type Level 2	Other	Matter Number (Nexus)	
Awaiting Accept/Decline	No	Matter ID number (Titan)	s.22 Irrelevant
Created On	10/10/2019 4:14 PM	Related Enquiry	

### EMPLOYEE DETAILS

Occupation	
Main Duties	Asst Venue Mgr
Employee Status	Full-time
Is apprentice or trainee?	Neither
Employment start date	s.22 Irrelevant information
Employment end date	

### CUSTOMER/ORGANISATION

Customer	s.22 Irrelevant matter deleted	Legal Name	STAFF SERVICES EMPLOYMENT PTY LTD
Enquirer Type	Employee no longer employed		

Aboriginal /Torres Strait Islander	Mature-age person	Disability
s.22	s.22 Irrelevant matter	
Non-english speaking	Pregnant	Outworker
s.22	s.22 Irrelevant matter	
Student	Young person	Visa Type
s.22 Irrelevant matter		

### EMPLOYEE LOCATION

Suburb	Postcode
State	

**ORGANISATION DETAILS**

**NOMINATED TO ACT ON CUSTOMER'S BEHALF**

**Full Name**

**Phone**

**Email**

**ATTEND FWO OFFICE**

**Can attend FWO office (if required)** No

**Interpreter Required** No

**FWO Office**

**Language**

ATIS Phone number: 1800 131 450

Infoline:  
Account  
number

Customer Solutions: Account number Access

Access  
number

**Industry Level 1** Administrative and Support Services

**Industry Level 2** Administrative Services

**Industry Level 3** Employment Services

**Industry Level 4** Labour Supply Services

**Instrument Type** Enterprise Agreement (Fair Work)

**Employer Association**

**Pre-Post Reform**

**Bound To Award**

**ENQUIRY DETAILS**

**DESCRIPTION**

- EE concerned about Mantle Group;
- Staff Services Employment - set up by Mantle Group to pay EE;
- EE estimates there are approx 12-13 Businesses running under this model;
- EE's covered by old EBA from 1999;
- EE states that HR is not honouring EE's rights/entitlements etc. and EEs are concerned about being underpaid;
- EE concerned re: penalties - EEs not paid weekend penalties, public holidays etc to casual;
- EE casuals paid = \$24.36

**ACTIONS & SOLUTIONS**

- Have discussed w/ Lvl 2 re: referring to potential compliance Q;
- Suitable for potential compliance Q.
- 
- Adv as per CI 3.2.6 Casual Employees  
(b) Weekly rates as prescribed for the class of work performed, plus a 22% loading for all ordinary hours for Monday to Sunday inclusive.
- Minimum base ROP as per Award:  
Level 1 - food and beverage attendant grade 1

-EE states that all salaried EE's are working 50 hours and not paid for correct hours;  
 -ER forcing EEs to sign documents that states they worked only 38 hours when in fact EEs have been working well excess of 38 hours per week;

EBA:  
 STAFF SERVICES PTY LTD CERTIFIED AGREEMENT 2000  
<https://www.fwc.gov.au/documents/awards/tracee/agreements/pdf/ag798483.pdf>

Award: Restaurant Industry Award 2010 [MA000119]

\$20.06 p/h

-If ER not applying applicable 22% casual loading on this = potential breach;

-Adv as per EBA:  
 4.1.1 The ordinary hours of work for all full-time employees shall be a minimum of 152 hours per 4 week cycle. Full-time employees shall be paid 38 hours per week regardless of the number of hours worked in each week.

-Adv EEs should not be forced to sign false documents - potential breach of FWA etc;

**ENQUIRY TREATMENT & SUMMARY**

<b>Team Treatment</b>	One person interventions	<b>Mediation Conducted</b>	No
<b>Recommended Treatment</b>	Potential Compliance	<b>Forward Reason</b>	Referred to Compliance
<b>Assessment Summary</b>	Assessment Date: 10/10/2019 FWO Interim Priority: FRAC Period of employment: Vulnerability: n/a MID: Potential breaches of EBA and underpayment of wages; Decision: Potential Compliance suitable;  History Checks -C-Net History: Various Enq. 37x Enq listed, including similar underpayment of wages queries that have been referred to EIT; 1x KNO articles; -NEXUS: 1x NEXUS matter reported from 2012; -Titan: 1x matter subject of investigation from Aug 2019; -Anon Reports: 1x report from 2018;  s.22 Irrelevant information	<b>FWO Outcome</b>	Referred Internally
	s.22 Irrelevant information 14/10/2019 Enquiry indicates that the customer is full-time and concerned about not being paid the correct penalty rates. Referred to EIT in the first instance to obtain further information about: - What is EE's hourly ROP? Or are they on a salary? NOTE - if they are on a salary, clause 1.5 of the EBA states they are excluded from receiving weekend penalty/overtime rates. - Which store are they working at? What's the address and what is the trading name?		

## Enquiry

# 1596240

Enquiry No.  
1596240

Status  
Resolved

Status Reason  
Advice Provided

Total Time Open (days)  
1

### ENQUIRY

**No of employees** 30

**Enquiry Type Level 1** Entitlements

**Enquiry Type Level 2** Hours of Work

**Awaiting Accept/Decline** No

**Created On** 31/10/2019 12:49 PM

**Channel** Inbound Phone

**State** Qld

**Matter Number (Nexus)**

**Matter ID number (Titan)**

**Related Enquiry**

### EMPLOYEE DETAILS

**Occupation**

**Main Duties** waiter

**Employee Status** Casual

**Is apprentice or trainee?** Neither


**Employment start date** 


**Employment end date** 


### CUSTOMER/ORGANISATION


**Customer**  **Legal Name** JIMMY'S ON THE MALL PTY LIMITED


**Enquirer Type** Employee no longer employed


**Aboriginal /Torres Strait Islander** 

**Mature-age person** 

**Disability** 

**Non-english speaking** 

**Pregnant** 

**Outworker** 

### EMPLOYEE LOCATION

**Suburb** KANGAROO POINT **Postcode** 4169


**State** Qld

**Student** 

**Young person** 

**Visa Type** 

**ORGANISATION DETAILS**

- Industry Level 1  Accommodation and Food Services
- Industry Level 2  Food and Beverage Services
- Industry Level 3  Cafes, Restaurants and Takeaway Food Services
- Industry Level 4  Cafes and Restaurants
- Instrument Type  Fair Work Act
- Employer Association
- Pre-Post Reform
- Bound To Award

**NOMINATED TO ACT ON CUSTOMER'S BEHALF**

Full Name

Phone

Email

**ATTEND FWO OFFICE**

Can attend FWO office (if required) Yes

Interpreter Required

No

FWO Office

QLD - Brisbane

Language

ATIS Phone number: 1800 131 450

Infoline:  
Account  
number

s.22 Irrelevant information

Access  
number

s.22 Irrelevant information

Customer Solutions: Account number [redacted] Access

s.22 Irrelevant information

s.22 Irrelevant information

**ENQUIRY DETAILS**

**DESCRIPTION**

Payslips don't match bank statement. deducting money when clients leave without paying dismissing staff when not signing illegal form. |

**ACTIONS & SOLUTIONS**

Hi [redacted]

Thanks for your enquiry.

**ENQUIRY TREATMENT & SUMMARY**

The employer has a legal obligation to ensure that payslips are accurate.

Team Treatment

Moreover, the employer can only make a deduction to your pay if it is principally for your benefit, and you have agreed to it in writing. There is an example on our website that outlines an employer deducting money from an employees pay due to till shortages, being seen as unlawful. This is due to it not being allowed by the award, and the deduction ultimately not benefiting the employee. I have attached a link to this to your recommended

Recommended Treatment

Potential Compliance

## Enquiry

# 1620031

Enquiry No. 1620031	Status Resolved	Status Reason Advice Provided	Total Time Open (days) 1
------------------------	--------------------	----------------------------------	-----------------------------

### ENQUIRY

No of employees	30	Channel	Inbound Phone
Enquiry Type Level 1	Wages	State	Qld
Enquiry Type Level 2	General	Matter Number (Nexus)	
		Matter ID number (Titan)	
Awaiting Accept/Decline	No	Related Enquiry	
Created On	19/11/2019 3:58 PM		

### EMPLOYEE DETAILS

Occupation	
Main Duties	Waiter
Employee Status	Casual
Is apprentice or trainee?	Neither

### CUSTOMER/ORGANISATION

Customer	s.22 Irrelevant matter deleted	Legal Name	STAFF SERVICES EMPLOYMENT PTY LTD
Enquirer Type	Existing employee		

Employment start date	s.22 Irrelevant information
Employment end date	

Aboriginal /Torres Strait Islander	Mature-age person	Disability
s.22	s.22 Irrelevant matter deleted	

### EMPLOYEE LOCATION

Suburb	Postcode
State	

Non-english speaking	Pregnant	Outworker
s.22	s.22 Irrelevant matter deleted	

Student	Young person	Visa Type
s.22 Irrelevant matter deleted		



**NOMINATED TO ACT ON CUSTOMER'S BEHALF**

Full Name

Phone

Email

**ATTEND FWO OFFICE**

Can attend FWO office (if required) No

Interpreter Required

No

FWO Office

Language

ATIS Phone number: 1800 131 450

Infoline:  
Account  
number

422 Inrelevant Inform

Access  
number

422 Inrelevant Inform

Customer Solutions: Account number [redacted] Access  
number [redacted]

**ORGANISATION DETAILS**

Industry Level 1



Administrative and Support Services

Industry Level 2



Administrative Services

Industry Level 3



Employment Services

Industry Level 4



Labour Supply Services

Instrument Type



Modern Award

Employer Association

Pre-Post Reform

Bound To Award

**ENQUIRY DETAILS**

**DESCRIPTION**

**ACTIONS & SOLUTIONS**

Following up on 1596240  
EE believes he has been under-paid  
EE's Base Rate of Pay was - \$24.36

G0097413: MAG - MA000009 Hospitality Industry General Award  
Introductory  
\$24.36

EE was consistently paid on an introductory rate for 6 months. Shouldv'e been moved up to a FB1

Level 1 food and beverage attendant grade 1  
\$25.08

**ENQUIRY TREATMENT & SUMMARY**

EE encouraged to calculate back payment the attempt self res w/ ER

Team Treatment

## Enquiry

# 1631730

Enquiry No.  
1631730

Status  
Resolved

Status Reason  
Referred Internally

Total Time Open (days)  
6

### ENQUIRY

No of employees

Channel

Inbound Phone

#### EMPLOYEE DETAILS

Enquiry Type Level 1

Wages

State

NSW

Occupation

Enquiry Type Level 2

General

Matter Number (Nexus)

Main Duties

restaurant

Matter ID number (Titan)

s.22 Irrelevant matter deleted

Employee Status

Casual

Awaiting Accept/Decline No

Related Enquiry

Is apprentice or trainee? Neither

Created On 28/11/2019 10:39 AM

Employment start date s.22 Irrelevant information

#### CUSTOMER/ORGANISATION

Customer

s.22 Irrelevant matter deleted

Legal Name

STAFF SERVICES  
EMPLOYMENT PTY LTD

Employment end date

Enquirer Type

Existing employee

Aboriginal /Torres  
Strait Islander

s.22

Mature-age person Disability  
s.22 Irrelevant matter deleted

Non-english  
speaking

s.22

Pregnant Outworker  
s.22 Irrelevant matter deleted

#### EMPLOYEE LOCATION

Suburb

Postcode

Student

s.22 Irrelevant matter deleted

Young person

Visa Type

State

ORGANISATION DETAILS

NOMINATED TO ACT ON CUSTOMER'S BEHALF

Full Name

Phone

Email

ATTEND FWO OFFICE

Can attend FWO office (if required) No

Interpreter Required

No

FWO Office

Language

ATIS Phone number: 1800 131 450

Infoline:  
Account  
number

5.22 Irrelevant information

Access  
number

5.22 Irrelevant information

Customer Solutions: Account number [redacted] Access  
number [redacted]

Industry Level 1

Administrative and Support Services

Industry Level 2

Administrative Services

Industry Level 3

Employment Services

Industry Level 4

Labour Supply Services

Instrument Type

Modern Award

Employer Association

Pre-Post Reform

Bound To Award

ENQUIRY DETAILS

DESCRIPTION

- want to know how to get an investigation for the company  
- some ees work like 75 hours even though the salary contract is like 35 hours , like chefs  
cooks and managers

ACTIONS & SOLUTIONS

- no weekend penalties  
- only pays a flat rate of 23.00 all staff, no overtime , no PHs  
- i managed to get \$26 somehow  
- there are like 50 workers there

ENQUIRY TREATMENT & SUMMARY

Team Treatment

Recommended  
Treatment

Potential Compliance

Mediation  
Conducted

No

Forward Reason

Referred to Compliance

## Enquiry

# 1639747

Enquiry No. 1639747	Status Resolved	Status Reason Referred Internally	Total Time Open (days) 5
------------------------	--------------------	--------------------------------------	-----------------------------

### ENQUIRY

No of employees	100	Channel	My Account
Enquiry Type Level 1	Entitlements	State	Qld
Enquiry Type Level 2	Penalty Rates	Matter Number (Nexus)	
Awaiting Accept/Decline	No	Matter ID number (Titan)	s.22 Irrelevant matter deleted
Created On	4/12/2019 4:12 PM	Related Enquiry	

### EMPLOYEE DETAILS

Occupation	storeperson
Main Duties	Picking/Packing, Forklift operating, Delivery driving, receiving deliveries, cleaning storage area
Employee Status	Casual
Is apprentice or trainee?	Neither
Employment start date	s.22 Irrelevant information
Employment end date	

### CUSTOMER/ORGANISATION

Customer	s.22 Irrelevant matter deleted	Legal Name	JIMMY'S ON THE MALL PTY LIMITED
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Enquirer Type Existing employee

Aboriginal /Torres Strait Islander	Mature-age person	Disability
s.22	s.22 Irrelevant matter	
Non-english speaking	Pregnant	Outworker
s.22	s.22 Irrelevant matter	
Student	Young person	Visa Type
s.22 Irrelevant matter deleted		

### EMPLOYEE LOCATION

Suburb	BELLBIRD PARK	Postcode	4300
State	Qld		

500  
International  
Student Visa

**NOMINATED TO ACT ON CUSTOMER'S BEHALF**

**Full Name**

**Phone**

**Email**

**ORGANISATION DETAILS**

**Industry Level 1**

 Accommodation and Food Services

**Industry Level 2**

 Food and Beverage Services

**Industry Level 3**

 Cafes, Restaurants and Takeaway Food Services

**Industry Level 4**

 Cafes and Restaurants

**Instrument Type**

 Enterprise Agreement (Fair Work)

**Employer Association**

**Pre-Post Reform**

**Bound To Award**

**ATTEND FWO OFFICE**

**Can attend FWO office (if required)** Yes

**Interpreter Required**

No

**FWO Office**

QLD - Brisbane

**Language**


ATIS Phone number: 1800 131 450

Infoline:  
Account  
number

5.22 Irrelevant information

Access  
number

5.22 Irrelevant information

Customer Solutions: Account number  Access

5.22 Irrelevant info

**ENQUIRY DETAILS**

**DESCRIPTION**

My Employer does not pay penalty rates. I've asked my manager is it legal, he said that company uses agreement , so they don't have to respect "Hospitality Industry (General) Award 2010". I want to be sure is it right. | I work every Saturdays, Sundays, Public Holidays. Every working day I start at 3am. Usually I work between 38-42hours/weekly. I get 50\$ "Sunday Bonus" and any others penalty rates. Part of my work time I spend in the -20degrees of temperture (Freezer) - around 5hours weekly. The issue has been described on corier mail last week: [https://www.couriermail.com.au/subscribe/news/1/?sourceCode=CMWEB\\_WRE170\\_a\\_GGL&dest=https%3A%2F%2Fwww.couriermail.com.au%2Fbusiness%2Fpub-empire-accused-of-staff-exploitation%2Fnews-story%2Fa32dabf874dab7fe5a22375104453528&memtype=anonymous&mode=premium](https://www.couriermail.com.au/subscribe/news/1/?sourceCode=CMWEB_WRE170_a_GGL&dest=https%3A%2F%2Fwww.couriermail.com.au%2Fbusiness%2Fpub-empire-accused-of-staff-exploitation%2Fnews-story%2Fa32dabf874dab7fe5a22375104453528&memtype=anonymous&mode=premium)

**ACTIONS & SOLUTIONS**

Hi 

Thank you for your enquiry.

Your enquiry has been referred for further assessment and we will be in touch shortly.


Kind Regards  
Office of the Fair Work Ombudsman

**i** Request for Additional Information

# Request for additional information

Activity Status  
Completed

**GENERAL**

<b>Subject</b>	Request for additional information	<b>Date Created</b>	6/12/2019 10:29 AM
<b>Regarding</b>	 1639747	<b>Owner</b>	s.22 Irrelevant matter deleted
<b>Request</b>	Hi s.22,		

Thank you for your enquiry.

We need some additional information in order to respond to your enquiry. Could you please provide some information around:

- The total amount you will have been underpaid, if you are covered by the hospitality award (if you have this information)
- Do you have evidence of the hours you have worked (e.g. timesheets, pay records, payslips, personal records)
- The name of the specific restaurant you work at

Please provide this information within 48 hours in order to progress your enquiry. Note that if we do not receive a response we will action your enquiry based on the information originally provided where possible. Should you wish to provide us with more information after this time, please submit the details within a new enquiry.

Kind Regards,

**Response**

Hi, thanks for your quick response. I don't know total amount, because I don't know which exactly penalties should I getting and how correctly calculate overtimes. I estimate it's going to be over 5000AUD, but please don't treat this number As a final one. I work in central warehouse of the company, which supports all of mantle group venue's (among others: pig and whistle, Jimmys on the mall, charming square). I have weekly payslip from all my work history but this document contains only number of hours I've worked during the week. It doesn't show exact hours and days of week. The company uses electrical system to register working time. We use finger print to log in and log out every day. I have detailed printout (coming from that system) of my work hours in the period 20.03-5.12.2019. I probably made an mistake in my enquiry. Formally I am still on introductory level (I am not sure of that information).

## Enquiry

# 1639871

Enquiry No. 1639871	Status Resolved	Status Reason Referred Internally	Total Time Open (days) 5
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### ENQUIRY

<b>No of employees</b>	<b>Channel</b>	<b>Inbound Phone</b>	<b>EMPLOYEE DETAILS</b>	
<b>Enquiry Type Level 1</b>	Wages	<b>State</b>	Qld	<b>Occupation</b>
<b>Enquiry Type Level 2</b>	General	<b>Matter Number (Nexus)</b>		<b>Main Duties</b>
<b>Awaiting Accept/Decline</b>	No	<b>Matter ID number (Titan)</b>	s.22 Irrelevant matter deleted	Chef - breakfast shift Head chef but no qualifications
<b>Created On</b>	4/12/2019 4:51 PM	<b>Related Enquiry</b>		<b>Employee Status</b>
				Casual
				<b>Is apprentice or trainee?</b> Neither
				<b>Employment start date</b>

### CUSTOMER/ORGANISATION

<b>Customer</b>	s.22 Irrelevant matter	<b>Legal Name</b>	STAFF SERVICES EMPLOYMENT PTY LTD	<b>Employment end date</b>
<b>Enquirer Type</b>	Employee no longer employed	<b>Aboriginal /Torres Strait Islander</b>	s.22	<b>Mature-age person</b> s.22 Irrelevant matter deleted
<b>EMPLOYEE LOCATION</b>		<b>Non-english speaking</b>	s.22	<b>Pregnant</b> s.22 Irrelevant matter deleted

<b>Suburb</b>	<b>Postcode</b>	<b>Student</b>	<b>Young person</b>	<b>Outworker</b>	<b>Visa Type</b>
		s.22 Irrelevant matter			
<b>State</b>					

ORGANISATION DETAILS

NOMINATED TO ACT ON CUSTOMER'S BEHALF

Full Name

Phone

Email

ATTEND FWO OFFICE

Can attend FWO office (if required) No

Interpreter Required

No

FWO Office

Language

ATIS Phone number: 1800 131 450

Infoline:  
Account  
number

s.22 Inrelevant information

Access  
number

s.22 Inrelevant information

Customer Solutions: Account number [redacted] Access  
number [redacted]

Industry Level 1

Administrative and Support Services

Industry Level 2

Administrative Services

Industry Level 3

Employment Services

Industry Level 4

Labour Supply Services

Instrument Type

Modern Award

Employer Association

Pre-Post Reform

Bound To Award

ENQUIRY DETAILS

DESCRIPTION

- EE first started at business in 2007-2010, started working there again 03/2015-01/2018
- EE was paid \$22.86 per hour for the whole period - EE thinks ROP was slightly lower when [redacted] first started
- EE has no record of ROP or hours worked during the period from 2007 to 2010
- Chefs were getting paid the same as kitchen hand staff
- EE worked every weekend for 3 years straight but not paid penalty rates
- EE only has a certain amount of payslips - only recent payslips, all previous payslips were on an old email which EE no longer has access to
- EE does not have his own record of hours worked
- EE spoke to managers previously regarding ROP's but had no luck resolving the issues - ER

ACTIONS & SOLUTIONS

- Pig and Whistle - Queen Street Mall
- MA000119: Restaurant Industry Award 2010
- Cook grade 1 means an employee who carries out cooking of breakfasts and snacks,baking,pastry cooking or butchering.
- Current ROP as at -  
Level 2 - cook grade 1 \$26.03  
Saturday/Sunday - \$31.23



advised that they are private business so did not need to pay the penalty rates  
 - News said to contact Industrial Relations

\*\*\*Referred to Potential Compliance as per Banner\*\*\*

**ENQUIRY TREATMENT & SUMMARY**

**Team Treatment**

**Mediation Conducted** No

**Recommended Treatment**

**Forward Reason** Referred to Compliance

**Assessment Summary**

**5.22 Irrelevant information**  
 NEXUS - 1x closed matter 2012  
 CNET - many advice provided, many EIT referrals  
 TITAN - 2x closed matters, 1x open matter

**FWO Outcome** Referred Internally

**5.22 Irrelevant information** \*\*\*FA0091\*\*\*Referred to OWT - current Titan matter **5.22 Irrelevant information**  
**5.22 Irrelevant information** email sent 6/12. New requestor to be added (refer documents)

**DETAILS FOR KNOWLEDGE TEAM**

DETAILS FOR KNOWLEDGE TEAM

**Background Information**

**Legislation/ Industrial instruments considered**

**Specific questions/issue to be addressed**

**Quality Coach/TL Opinion**

**Recommending Team Lead**

**MONIES RECOVERED**

**Total (all non-confidential payments)**

**Total employees paid relating to enquiry**

Payment Type	Confidential	Amount	Created On	Created By	Payment Date	No. of Employees
No Money Recovered records are available in this view.						
0 - 0 of 0 (0 selected)						Page 1

**RELATED OBJECTS**

Customer	Link Type	URL	Record Knowledge Object Title	Link

## Enquiry

# 1642927

Enquiry No. 1642927	Status Resolved	Status Reason Referred Internally	Total Time Open (days) 3
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### ENQUIRY

<b>No of employees</b>	<b>Channel</b>	<b>Inbound Phone</b>	<b>EMPLOYEE DETAILS</b>		
<b>Enquiry Type Level 1</b>	Wages	<b>State</b>	Qld	<b>Occupation</b>	
<b>Enquiry Type Level 2</b>	General	<b>Matter Number (Nexus)</b>		<b>Main Duties</b>	Restaurant Host - seating guests
		<b>Matter ID number (Titan)</b>	s.22 Irrelevant matter deleted	<b>Employee Status</b>	Casual
<b>Awaiting Accept/Decline</b>	No	<b>Related Enquiry</b>		<b>Is apprentice or trainee?</b>	Neither
<b>Created On</b>	6/12/2019 2:11 PM			<b>Employment start date</b>	s.22 Irrelevant information
<b>CUSTOMER/ORGANISATION</b>			<b>Employment end date</b>		
<b>Customer</b>	s.22 Irrelevant matter deleted	<b>Legal Name</b>	STAFF SERVICES EMPLOYMENT PTY LTD	<b>Aboriginal /Torres Strait Islander</b>	<b>Mature-age person</b>
<b>Enquirer Type</b>	Employee no longer employed			s.22	s.22 Irrelevant matter deleted
<b>EMPLOYEE LOCATION</b>			<b>Non-english speaking</b>	<b>Pregnant</b>	<b>Outworker</b>
<b>Suburb</b>		<b>Postcode</b>	s.22	s.22 Irrelevant matter deleted	
<b>State</b>			<b>Student</b>	<b>Young person</b>	<b>Visa Type</b>
			s.22 Irrelevant matter deleted		

ORGANISATION DETAILS

NOMINATED TO ACT ON CUSTOMER'S BEHALF

Full Name

Phone

Email

ATTEND FWO OFFICE

Can attend FWO office (if required) No

Interpreter Required

Yes

FWO Office

QLD - Brisbane

Language

Ar [REDACTED]

ATIS Phone number: 1800 131 450

Infoline:  
Account  
number

s.22 Irrelevant information

Access  
number

s.22 Irrelevant information

Customer Solutions: Account number [REDACTED] Access  
number [REDACTED]

Industry Level 1

Administrative and Support Services

Industry Level 2

Administrative Services

Industry Level 3

Employment Services

Industry Level 4

Labour Supply Services

Instrument Type

Modern Award

Employer Association

Pre-Post Reform

Bound To Award

ENQUIRY DETAILS

DESCRIPTION

ACTIONS & SOLUTIONS

EE seeking FWO assistance regarding underpayment at former ER. EE advised was being paid at \$24.36 for her time worked (Casual - Introductory Level), however EE was advised by FWO (Enquiry 1614845) that pay rate should be \$25.08 (Level 1 - food and beverage attendant grade 1). Based on information customer provided, Level 2 may be potentially more appropriate due to: "B.2.2 Food and beverage attendant grade 2 (g) taking reservations, greeting and seating guests."

EE has calculated underpayment based on Level 1 as \$194.49. When approached ER was advised that payrate is correct as she agreed to terms and conditions.

Restaurant name: The Charming Squire, located in Southbank QLD

Escalated to QLD queue for potential compliance referral

Mediation Conducted No

Forward Reason Referred to Compliance

FWO Outcome Referred Internally

## Enquiry

# 1675702

Enquiry No. 1675702	Status Resolved	Status Reason Advice Provided	Total Time Open (days) 1
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### ENQUIRY

<b>No of employees</b>	<b>Channel</b>	<b>Inbound Phone</b>	<b>EMPLOYEE DETAILS</b>	
<b>Enquiry Type Level 1</b>	Wages	<b>State</b>	<b>Occupation</b>	
<b>Enquiry Type Level 2</b>	General	<b>Matter Number (Nexus)</b>	<b>Main Duties</b>	Restaurant Host - seating guests
<b>Awaiting Accept/Decline</b>	No	<b>Matter ID number (Titan)</b>	<b>Employee Status</b>	Casual
<b>Created On</b>	9/01/2020 10:55 AM	<b>Related Enquiry</b>	<b>Is apprentice or trainee?</b>	Neither
<b>CUSTOMER/ORGANISATION</b>			<b>Employment start date</b>	10/10/2019
<b>Customer</b>	s.22 Irrelevant matter deleted	<b>Legal Name</b>	<b>Employment end date</b>	11/11/2019

<b>Customer</b>	s.22 Irrelevant matter deleted	<b>Legal Name</b>	STAFF SERVICES EMPLOYMENT PTY LTD	<b>Aboriginal /Torres Strait Islander</b>	<b>Mature-age person</b>	<b>Disability</b>
<b>Enquirer Type</b>	Employee no longer employed			s.22	s.22	s.22
<b>EMPLOYEE LOCATION</b>				<b>Non-english speaking</b>	<b>Pregnant</b>	<b>Outworker</b>
<b>Suburb</b>		<b>Postcode</b>		s.22	s.22	s.22
<b>State</b>				<b>Student</b>	<b>Young person</b>	<b>Visa Type</b>
				s.22 Irrelev	s.22	

ORGANISATION DETAILS

NOMINATED TO ACT ON CUSTOMER'S BEHALF

Full Name

Phone

Email

ATTEND FWO OFFICE

Can attend FWO office (if required) No

Interpreter Required Yes

FWO Office

Language [Redacted]

ATIS Phone number: 1800 131 450

Infoline: Account number [Redacted] Access number [Redacted]

Customer Solutions: Account number [Redacted] Access number [Redacted]

Industry Level 1 Administrative and Support Services

Industry Level 2 Administrative Services

Industry Level 3 Employment Services

Industry Level 4 Labour Supply Services

Instrument Type Modern Award

Employer Association

Pre-Post Reform

Bound To Award

ENQUIRY DETAILS

DESCRIPTION

Tis call - [Redacted]

EE made contact with FWO in December - wanting to hear back from department it is with

1642927 related

EE seeking FWO assistance regarding underpayment at former ER. EE advised was being paid at \$24.36 for her time worked (Casual - Introductory Level), however EE was advised by FWO (Enquiry 1614845) that pay rate should be \$25.08 (Level 1 - food and beverage attendant grade 1). Based on information customer provided, Level 2 may be potentially more appropriate due to: "B.2.2 Food and beverage attendant grade 2 (g) taking

ACTIONS & SOLUTIONS

Matter currently with OWT - [Redacted]

Non english speaker call dropped out during call - Tis interpreter attempted to get her back - contact made with FWI - [Redacted] - warm transfer to FWI on call

Mediation Conducted No

reservations,greeting and seating guests."  
 EE has calculated underpayment based on Level 1 as \$194.49. When approached ER was advised that payrate is correct as she agreed to terms and conditions.

**Forward Reason**  
**FWO Outcome**      Advice Provided

Restaurant name: The Charming Squire, located in Southbank QLD

**ENQUIRY TREATMENT & SUMMARY**

**Team Treatment**

**Recommended Treatment**

**Assessment Summary**

s.22 Irrelevant information  
 Titan matter s.22 Irrelevant information  
 Nexus history present  
 Org Flag - Adv to route to potential compliance for RFA  
 Priority: FRAC, Visa worker  
 Vulnerability: Visa/ non english speaking  
 Self resolution attempted

**DETAILS FOR KNOWLEDGE TEAM**

**DETAILS FOR KNOWLEDGE TEAM**

**Background Information**  
**Specific questions/issue to be addressed**  
**Recommending Team Lead**

**Legislation/ Industrial instruments considered**  
**Quality Coach/TL Opinion**

**MONIES RECOVERED**

**Total (all non-confidential payments)**

**Total employees paid relating to enquiry**

Payment Type	Confidential	Amount	Created On	Created By	Payment Date	No. of Employee
No Money Recovered records are available in this view.						
0 - 0 of 0 (0 selected)						Page 1

## Enquiry

# 1692907

Enquiry No. 1692907	Status Resolved	Status Reason Referred Internally	Total Time Open (days) 1
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### ENQUIRY

No of employees

Channel

Inbound Phone

#### EMPLOYEE DETAILS

Enquiry Type Level 1 Wages

State

Qld

Occupation

Enquiry Type Level 2 General

Matter Number (Nexus)

Main Duties

bartender, occasional food service,  
service of alcohol, 19/yo

Matter ID number (Titan) **s.22 Irrelevant matter deleted**

Employee Status

Casual

Awaiting Accept/Decline No

Related Enquiry

Is apprentice or trainee? Neither

Created On 22/01/2020 4:46 PM

Employment start date **s.22 Irrelevant information**

#### CUSTOMER/ORGANISATION

Customer **s.22 Irrelevant matter deleted**

Legal Name

JIMMY'S ON THE MALL  
PTY LIMITED

Employment end date

Enquirer Type Employee no longer employed

Aboriginal /Torres Strait Islander

Mature-age person

Disability

Non-english speaking

Pregnant

Outworker

#### EMPLOYEE LOCATION

Suburb

Postcode

No

Student

Young person

Visa Type

State

**NOMINATED TO ACT ON CUSTOMER'S BEHALF**

**Full Name**

**Phone**

**Email**

**ATTEND FWO OFFICE**

**Can attend FWO office (if required)** No

**Interpreter Required** No

**FWO Office**

**Language**

ATIS Phone number: 1800 131 450

Infoline:  
Account  
number

s.22 irrelevant information

Access  
number

s.22 irrelevant information

Customer Solutions: Account number s.22 irrelevant info Access  
number s.22 irrelevant info

**ORGANISATION DETAILS**

**Industry Level 1**  Accommodation and Food Services

**Industry Level 2**  Food and Beverage Services

**Industry Level 3**  Cafes, Restaurants and Takeaway Food Services

**Industry Level 4**  Cafes and Restaurants

**Instrument Type**  Enterprise Agreement (Fair Work)

**Employer Association**

**Pre-Post Reform**

**Bound To Award**

**ENQUIRY DETAILS**

**DESCRIPTION**

believes she was underpaid. how can she get the amount owed back?

ROP:21.92

pig n whistle restaurant  
business: pub

evidence: roster, payslips, texts  
ee confirmed that other staff are affected

**ACTIONS & SOLUTIONS**

K600015  
Award coverage for a pub  
The Hospitality Award covers pubs.

Hospitality Industry (General) Award 2010 (MA000009)

Level 2 food and beverage attendant grade 2 | Casual | 19 years  
Hourly pay rate: help \$26.03  
<http://calculate.fairwork.gov.au/Home/LaunchSession?srn=3417202260238>

**ENQUIRY TREATMENT & SUMMARY**

RFA made as per banner.