

Office of Workplace Services targeted audits of food outlets

The body charged with ensuring employer compliance with the new mandatory WorkChoices industrial relations regime, the Commonwealth Office of Workplace Services (OWS), has recently launched a national “targeted education and compliance program” focused on restaurants, cafés and food outlets. These businesses are currently being subjected to random audits by the OWS which assess their compliance with the newly amended Workplace Relations Act. Previous regional audits of restaurant and café establishments have revealed high rates of non-compliance with industrial instruments.

The potential penalties that can be imposed by the OWS for non-compliance by an employer can be as high as \$33,000 per breach. This is in addition to and independent of any “wages and conditions claims” that employees may also concurrently lodge against you.

As an employer within the restaurant/café and food outlet industry, do you know whether your business is compliant with the new industrial relations laws?

- > Do you know the difference between the Australian Fair Pay and Conditions Standard and the Protected Award conditions?
- > Do you know what award (if any) your employees are covered under?
- > Do you know what the new WorkChoices record-keeping requirements are?
- > Do you know that by utilising a tailored employment agreement your business will be able to significantly reduce its operating and administrative costs?
- > Do you know that it is completely unnecessary for you to be paying entitlements such as penalty rates, over time, allowances, and annual leave loadings as long as you go about this in a legally recognised way that is actually facilitated by the new legislation

As a firm with extensive employment law expertise, Rosendorff Lawyers can offer you comprehensive advice and tailored workplace solutions for your business. Our WorkChoices Compliance Package starts from a fixed fee of just \$975. The package includes:

- > Analysing your current employment arrangements
 - > Determining which industrial instrument/award is applicable to your employees
 - > Advising you in relation to your business’ record-keeping requirements and all other aspects of compliance with the new legislation
-preparing employment agreements that:
- > Are tailor-made for your workplace
 - > Comply with the new industrial relations legislation
 - > Contain restraint of trade provisions, non-competition clauses, confidential information and intellectual property protection clauses.

Our WorkChoices Compliance Package not only protects your business from the massive potential penalties imposed by the Office of Workplace Services for non-compliance with the new laws, but also prevents your employees from lodging “Wages and Conditions” claims against you AND will also protect against the theft of your business’ goodwill and client base by former employees.

About the Author

[David Natenzon](#) has gained extensive experience in different aspects of commercial, corporate, and litigation matters and manages Rosendorff’s employment law division. He has developed an extensive knowledge of the WorkChoices legislation and is an Associate Member of the Law Institute of Victoria. David has written numerous resource papers on different aspects of corporate law. For more details, visit: www.rosendorff.com.au

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