

# HOSPO WAGE THEFT INVESTIGATION 2017



## ABOUT THE INVESTIGATION

- 624 Victorian hospitality workers participated.
- Conducted over August & September.
- 67% female, 31% male, 2% other.
- 50% aged between 19-24 years, 28% aged between 25-34 years.
- 89% Australian citizens or permanent residents, 11% on temporary visas.

## THE AWARD MINIMUM\*

	Weekdays	After 7pm	12am-6am	Saturdays	Sundays	Public holidays
Part-time/full-time	\$19.53	\$21.66	\$22.72	\$24.41	\$29.30	\$43.94
Casuals	\$24.41	\$26.54	\$27.60	\$29.30	\$29.30	\$48.83

*\*Hospitality Industry General Award – Food & Beverage Attendant Grade 2<sup>1</sup>*

## CASUAL & CASH-IN-HAND

- 69% casual. 31% permanent.
- 35% cash-in-hand. 65% are paid into their bank accounts

## PAID BELOW THE AWARD

- 76% are paid below the Award. This means they are either not paid penalty rates or are actually paid below the Award minimum of \$19.53 per hour.
- Multiple workers reported rates of as little as \$10 per hour. This equates to an underpayment of \$29,298 p/a, if working 38hr week, Tues- Sat, 4pm-midnight.

## UNPAID OVERTIME

- 51% are doing unpaid overtime.
- Casual staff often work up to ten hours a week without pay. Salaried staff are often working 20 hours, or more, a week of unpaid overtime.

## UNPAID TRIALS

- 41% doing unpaid trials – in some cases, people had to work over 20 hours to get the job.
- Unpaid trials appear to be part of the business model of some venues, who prey on backpackers, international students and other vulnerable workers.

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<sup>1</sup> Under the Award an F&B Attendant Grade 2 needs to perform some of these duties: “supplying, dispensing or mixing of liquor including the sale of liquor from the bottle department; assisting in the cellar or bottle department; undertaking general waiting duties of both food and/or beverage including cleaning of tables; receipt of monies; attending a snack bar; and engaged on delivery duties.” A Grade 1 Attendant does not service customers & their duties are mainly cleaning and bussing tables. See: [Hospitality Industry General Award 2010, Schedule D – Classification Definitions - D.2.1.](#)

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## WORKER COMMENTS

*"I remember a girl saying she was only on \$12 an hour, I told her I was on \$14 and so she decided, as we were doing the exact same work, she was going to ask for a pay rise. She did and I never saw her at work again." – Jess, waitress*

*"For the last three weeks my manager has been on annual leave and four people have resigned. I have been working three people's jobs and working 55 hours a week, but only being paid for 40 and being offered no <sup>help</sup> even though the company knows I am working this much." – Penny, café supervisor*

*"At my last job I was paid cash-in-hand. I was told I was getting \$15 an hour and I just assumed I was but they were only paying me \$13. I quit and they still owe me hundreds of dollars for unpaid work. The place I'm at now told me I would be moved up to \$18 an hour once I was properly trained. I'm now training others and working open to close and still on \$15." – Tallulah, barista*

*"I have worked many, many hospitality jobs and I have only found one venue to pay the award minimum but they did not pay holiday rates or Sunday rates." – Jordan, chef*

*"I was paid \$11 an hour for roughly a year (significantly less than my male co-workers), which went up to \$12. There were no documents signed to prove my employment (and same for all the other staff) so that if the restaurant was investigated they could claim we had never worked there. I overheard incidents where one new person asked to be paid legally and they were laughed out of the joint, and another who was fired for asking for penalty rates." – Kat, kitchenhand*

*"Constantly my pay rate changes, no penalty rates for weekends. I'm being ripped off but he has told me he can't give me anymore yet he buys more cafes and cars with the money he is robbing from me." – Bri, barista*

*"All the casuals are getting ripped off. We get verbally abused by the owners on daily basis and threatened. Have to pay from our own pockets to put fuel in restaurants' delivery bikes. If someone gets in an accident on the bike, they don't get time off for any medical assistance caused by the fall. You're forced to work stating you're not injured. Steal wages on daily basis from all employees, not paying for all the hours worked and forging payslips when asked to provide these. Not paying paid holidays to full time employees and threatening to cancel visas if they ask for their right full wages and holidays." – Shaz, chef*

*"I work an average of 62 hours a week. I am paid \$900 gross. That's equivalent of \$14.50 an hour." – Brandon, chef*

*"My contract says I need to work 38 hours a week and a reasonable amount of extra hours, so I work 55 hours a week but I'm only getting paid 38 hours." – Ben, chef*

*"We go months without being paid. Backpackers don't get paid at all. Some people have gone up to four months without pay." – Belinda, barista*