



## Fair Work confusion concerns ARA

Reports that incorrect advice from the Fair Work Ombudsman (FWO) may have led to retailers unintentionally contravening their employer obligations underlines the need for industry groups to provide industry specific advice and education programs to avoid costly pay errors, says the ARA.

Executive director Russell Zimmerman said findings by a Financial Review investigation that FWO had made 40 changes to fix errors in its online pay calculator, which may have led to pay errors, made it easy to understand why small retailers are confused about their employer obligations particularly when they were receiving incorrect information from the very same body applying the penalties.

“Errors found with FWO’s reporting of pay rates under the Retail Award shows retail industry associations have an important role in filling the gap between general information and retail-specific information, as well as offering education programs specifically for retailers,” said Zimmerman.

“The ARA is calling on government support for ongoing education provided by retail industry associations as retailers make efforts to ensure they proactively comply with their obligations under the Modern Award.

“Small retailers don’t have access to in house HR expertise. So, they’re dealing with incremental changes to the Modern Award over five years on top of all their other duties as store owners which often stretch from being on the shop floor, cleaning, training and merchandising all the way through to bookkeeping and keeping up with various other regulations.”

Zimmerman says retailers who aren’t members of an association need to be aware of possible shortfalls when seeking advice from non industry- specific experts and should probably weigh up the benefits of joining an industry association against the possible cost of back paying their staff and keeping up with often confusing changes.

“ARA members have access to 35 retail-specific industrial relations experts, as well as the online Employment Relations Management System (ERMS) to support them through IR changes and ensure they’re not unintentionally in breach of their responsibilities.

“The results of the FWO report showed retailers were making a concerted effort to meet their obligations as employers with three quarters paying their staff correctly, but retailers can avoid costly back pay by turning to their industry associations for retail- specific advice,” Zimmerman said.

Source: Inside Retail