

Who is Wageline?

Private Sector Labour Relations is part of the Department of Mines, Industry Regulation and Safety – State Government.

Wageline is our brand.



We provide information and community education on state employment laws and raise awareness of employment rights and obligations in WA.

Wageline resources you may find useful for the SDGC include:

- Wageline website: www.dmirs.wa.gov.au/wageline;
- Community education team: wageline@dmirs.wa.gov.au and,
- Social media

 www.facebook.com/WagelineWA

 www.twitter.com/WagelineWA

 www.instagram.com/WagelineWA

Two industrial relation systems

Two different industrial relations systems operate in WA, the state system and the national fair work system. The two systems have different employment obligations.



State system



Sole traders

e.g. Jane Smith trading as Jane's Café



Unincorporated partnerships

e.g. Jane and Bob Smith trading as Jane's Café



Unincorporated trusts

e.g. Jane and Bob Smith as trustees for the Smith Family Trust trading as Jane's Café

Incorporated associations and not-for-profit organisations that are **not** trading or financial corporations



National system



Pty Ltd businesses

e.g. Jane's Café Pty Ltd

Incorporated associations and not-for-profit organisations that **are** trading or financial corporations

What is wage theft?

Wage theft is the systematic and deliberate underpayment of wages or entitlements to a worker. It often goes unnoticed and unreported because employees don't know what they can do when they have been underpaid.

Wage theft comes in many forms and can include not paying employees for any overtime worked, paying less than the minimum wage, not paying leave entitlements and not paying employees at all.

In 2015 a number of high profile wage theft issues were reported in the media, including significant and systematic underpayment of employees working for a large franchise group and labour contractors.

In recent years a number of large organisations have either been found to be underpaying staff or have self-report themselves and rectified underpayments. Numerous academic and research reports have been undertaken and several Parliamentary and Government inquiries conducted which have examined the issue of wage theft.

Inquiry into Wage Theft in Western Australia

In 2019 the Western Australian Government commissioned the '[Inquiry into Wage Theft in Western Australia](#)'. The inquiry commenced in February 2019 and was undertaken by Mr Tony Beech, former Chief Commissioner of the Western Australian Industrial Relations Commission.

The findings of the inquiry were released in December 2019. The report found that wage theft **was** occurring in Western Australia.

The various forms of wage theft identified during by the Inquiry were:

- unpaid hours;
- non-payment of any wages, or allowances for work performed;
- underpayment of wages or entitlements;
- unauthorised or unreasonable deductions; and
- non-payment of superannuation.

Young people and migrant workers were among those found to be more vulnerable to wage theft, with cafes and restaurants, retail, contract cleaning, security and horticulture all identified as industries with a higher prevalence of wage theft.

The Inquiry identified the reasons wage theft takes place as:

- the lack of detection and enforcement of non-compliance
- the intention of some employers to maximise financial return
- the vulnerability of some workers and
- a lack of knowledge of employment conditions by workers and employers

You can read the Report of the inquiry into wage theft in Western Australia and the Submissions to the inquiry at www.dmirs.wa.gov.au/wagetheftinquiry



What is Private Sector Labour Relations doing to combat wage theft?

PSLR is currently progressing a range of community education initiatives to combat wage theft in Western Australia and increase awareness of employment rights and obligations, consistent with the recommendations of the Inquiry.

- The [Report Wage Theft](#) website was established in December 2019 and is successfully providing an avenue for WA employees in both the State and national industrial relations systems to seek help with resolving underpayments and anonymously report wage theft.
- We are collaborating with TAFEs, adult education institutions, community groups and universities to provide community education about employment rights.
- The [Employment Rights in WA](#) initiative is our major community education campaign that aims to raise employers' and employees' awareness of their employment rights and obligations and the pathways for employees to resolve an alleged underpayment through digital and social media advertising and community education and
- Our online resources include:
 - [Employee central](#), an information hub where WA workers can go to get help with:
 - working out which industrial relations system covers their employment where to get the right information on pay rates
 - getting help with underpayments
 - reporting wage theft anonymously
 - [WA employer essentials](#) which helps WA small business employers with:
 - finding out which industrial relations system covers their business
 - where to get the right information on pay rates and other employment obligations
 - Buying or selling a business



Examples of our digital advertising



Resources

Department of Economic and Social Affairs

[Sustainable Goal 8](#)

Private Sector Labour Relations

[Inquiry into wage theft in Western Australia](#) (the report and submissions received)

[Employee central](#) - provides information on employment rights for WA workers.

[WA employer essentials](#) - provides information on employment obligations for employers

[Reporting wage theft in WA](#) - assists Western Australian workers with how to:

- seek help with resolving an underpayment issue or unpaid annual or long service leave;
- report wage theft anonymously to the relevant government department; and
- seek help with unpaid superannuation.