



PARLIAMENT OF NEW SOUTH WALES  
LEGISLATIVE ASSEMBLY

**FIRST SESSION OF THE FIFTY-SIXTH PARLIAMENT**

**Private Members' Statements**

8 August 2017

**WAGES AND CONDITIONS**

**Ms SONIA HORNER ( Wallsend ) ( 13:05 ):**

The Fair Work Ombudsman is taking Tokyo Sushi to court over up to \$70,000 in unpaid staff wages, including more than \$22,000 allegedly owed to 15 employees in the local Tokyo Sushi branch. Seven workers are aged between 16 and 20. Time and time again in recent months we have seen story after story of young people trying to earn an honest dollar but being underpaid or not paid at all by unscrupulous employers. However, instead of support from government there has been an all-out assault on the wages and conditions of many low-paid workers all over New South Wales and nationally.

A tax on penalty rates, failure to monitor workers appropriately and police the actions of workers have meant that young people are finding it harder and harder to get ahead. It is not spending money on going out to brunch that is holding young people back; it is exploitation and unfair working conditions. When an employer does not pay a worker what they are owed, it is theft—pure and simple. I reached out to my constituents to find out if any of them had been the victim of unscrupulous employers and exploitative employment practices. The response was immediate and overwhelming. A young worker named Adelaide told me about the unfair treatment she had received at a local small business. She said:

I was underpaid and not paid overtime. They refused to let me have breaks and then a contract was broken. I was let go when I questioned them, without the correct warning or payment. Bosses think they can put anything past young people.

Another young man who lives in my electorate, Jonathon, missed out on getting paid for an entire shift because the employee time clock was not working. He told me:

I had been working a regular shift for a while, so I was told that because it was my permanent shift I should be paid regardless. I wasn't, so that was like \$200 that they didn't pay me.

The most shocking of the lot was a story one of my constituents, Amber, told me. Amber's daughter was employed in a business that took on a number of new staff, mostly new arrivals to Australia or very young women. According to Amber:

They were told they all had to complete two weeks training. Initially, they were told it would be paid, but then they were told after they'd completed the training that it was unpaid—this employer had them perform the full duties of the job during these two weeks. Finally, they were signed to a contract which paid below minimum wage. My daughter was bullied, threatened with firing, yelled at and had her hours cut back whenever she tried to assert her rights.

Amber says that at one stage her daughter had accumulated more than 80 hours of unpaid work and got only some money out of this unscrupulous employer after fighting tooth and nail for her rights. At the July New South Wales Australian Labor Party [ALP] Conference, the Opposition leader laid out a five-point plan to catch out businesspeople like those who have exploited Adelaide and Jonathon, and Amber's daughter.

Labor's plan includes a new wage theft law to criminalise deliberate failure to pay wages and entitlements, rules to hold franchises accountable for the misbehaviour of franchisees, and expanding the powers of workplace inspectors. This is not an attack on employers. The businesspeople who pay and do the right thing by their workers will be safe and we will support them. I will fight to make sure that every young worker and every other worker in the Wallsend electorate will be treated fairly by all of our employers. The exploitation of young people must stop.