



Restaurant
& Catering

MEDIA RELEASE
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R&CA WELCOMES FEDERAL CIRCUIT COURT DECISION

Restaurant & Catering Australia (R&CA) has welcomed a recent Federal Circuit Court decision to reduce the severity of a punishment against a Melbourne restaurateur after all wage discrepancies were corrected and legal proceedings alleging non-compliance were discontinued.

The Court's decision also took into account the fact that the business had suffered from significant reputational damage and costly vandalism when the original allegations were aired publicly prior to the final court date.

R&CA CEO Juliana Payne said that the punishments handed to hospitality operators should take into account the fact that some instances of non-compliance may occur as a result of genuine mistakes and oversights which are soon rectified upon discovery.

"Whilst R&CA in no way condones the actions of hospitality operators who are not fully compliant with their various legal obligations towards their staff, a distinction must be drawn between deliberate and systematic non-compliance with workplace regulations and genuine mistakes and oversights which are often corrected immediately upon discovery.

"R&CA maintains that deliberate, systematic non-compliance should not be seen in the same light as genuine, accidental errors when considering penalties.

"R&CA remains fully committed to promoting and educating the sector on how to ensure the highest possible standards of compliance with the relevant legal and regulatory frameworks," Ms Payne said.

For further information on this media release, please contact:

Juliana Payne

Chief Executive Officer

Restaurant & Catering Industry Association

P: 1300 722 878

E: restncat@restaurantcater.asn.au