



What happens if my employer hasn't made the compulsory contributions to my superannuation fund?

Firstly, you should make sure you are eligible to receive super. Usually an employer has to pay 9% super contributions if you are over 18 and you are paid at least \$450 in salary and wages (before tax) in a month. It doesn't matter if you work casual, part time or full time. It's really important to check that your employer is paying superannuation contributions. You can check by comparing deductions on your wage slip with contributions shown on your superannuation statements.

Secondly you should enquire with your employer's payroll or human resources area. If your employer hasn't paid superannuation contributions, you can take action by ringing the Australian Taxation Office (ATO) on 13 10 20. The ATO is responsible for collecting unpaid compulsory super. You can also obtain an enquiry form on their website www.ato.gov.au/super

The ATO will record your notification, hopefully collect the superannuation and pay it into your superannuation fund. It can take many months to collect and there is no guarantee of success. Companies have been known to go bust leaving staff with unpaid entitlements. Once you do lodge a query, the ATO will keep you updated by mail.

Some other ways you can try to obtain unpaid superannuation from your employer include:

- if you are employed under the federal workplace relations system, you can seek an order from an eligible court under the *Workplace Relations Act 1996*;
- complete a *Wages and Conditions claim form* with the Workplace Ombudsman who will pursue your entitlements on your behalf, including going to court; or
- if you are employed under a state industrial relations system, there are laws that enable the courts to order your employer to pay the amount of the shortfall to your superannuation fund.

I will have my fingers crossed for you.