



Media Release | 15 December 2020

SDA LAUNCHES FEDERAL COURT ACTION AGAINST MCDONALD'S OVER DENIAL OF REST BREAKS

Today the SDA – the union for fast food workers – will be filing action in the Federal Court for current and former McDonald's workers against a McDonald's Franchisee in South Australia.

The SDA alleges that the McDonald's Franchise deliberately denied workers paid drink and rest breaks.

The SDA is seeking compensation for workers who did not get the breaks they were legally entitled to and asking the Court to fine the McDonald's franchisee for breaching the McDonald's Agreement and the Fast Food Award.

This action is the result of an SDA Campaign since 2018 seeking to ensure McDonalds workers receive their workplace rights.

Thousands of workers have signed up to the SDA's campaign so far. This action is the start of a process which we hope will see McDonald's workers across Australia compensated for the denial of their workplace rights.

Any worker who has worked for McDonald's or a McDonald's franchise in the last 6 years and believes they did not receive their correct breaks are encouraged to contact the SDA.

Quotes from SDA South Australian Secretary Josh Peak

"This is a groundbreaking moment for fast food workers, but it shouldn't have come to this."

"Young workers shouldn't have to take matters to the Federal Court to get their basic entitlements."

"Paid rest and drink breaks aren't optional, they're a right."

"We will allege that this wasn't just a slip up but that McDonald's intentionally denied workers their paid breaks."

"McDonald's is one of the largest employers of young people in Australia and they have a duty to their workers. They must do better."

"If you are a current or former McDonald's worker and did not receive your paid rest breaks you should contact the SDA."

SDA v McDonald's Federal Court Action 16 January 2020

Statements from workers

Quotes from Jordan Reiha, 23, former shift manager and restaurant department manager, employed from 2016-2018.

"I worked at McDonald's for 2 years. I didn't know we were meant to receive paid rest breaks. I didn't know that they were a compulsory part of the McDonald's Agreement."

"I don't think any of my coworkers received paid breaks either."

"I worked really long shifts at McDonald's. I often worked overtime, sometimes till midnight without extra pay. I never complained."

"Me and all other Maccas crew worked really hard to keep customers happy. We deserved to get our legal entitlements like paid breaks."

Quotes from Sarah Wall, 22, former crew member and shift supervisor, employed from 2014-2018

"I started working at McDonald's when I was just 16, as a casual after school and on weekends."

"This was my first job. Working at McDonald's was intense. It was always fast and hot and we were always expected to be working."

"Getting rest breaks like the Enterprise Agreement said I had to would have made such a difference."

"I don't remember me or my coworkers ever getting a paid break."

"When I first started working at McDonald's, I had to complete a lot of training. We were given training on how to serve customers and make food but I don't think paid breaks were ever mentioned."

"I worked in a range of different roles at McDonald's. I did a lot of training for each role. The paid break entitlement was never mentioned in any of my training over 4 years."

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