

# Unpaid super?

Steps to take if you think your super hasn't been paid correctly.

May 2014



**Most employers do the right thing by their employees when it comes to paying their superannuation guarantee (SG) contributions. But if you think that something is not quite right with your SG payments, help is available.**

According to the Association of Superannuation Funds of Australia the vast majority of employers meet their super guarantee (SG) obligations, with a compliance rate of around 96 per cent.<sup>1</sup> However this still means that there are some employees who are not receiving the super they are entitled to. In the 2012-13 financial year the ATO received 16,900 complaints from employees regarding unpaid super, amounting to hundreds of millions of dollars.<sup>2</sup>

If you're one of the unlucky employees who gets your SG contributions paid late, or not at all, it can have a significant impact on your final balance at retirement. If you feel your super is not being paid correctly there are steps you can take to attempt to remedy the situation.

## Keeping track of your contributions

### Check your payslip

Your payslip should state the details of the super fund into which SG is being paid and the amount of super paid or accumulated during that pay period. It is important to note that because employers are only obligated to forward your super contributions to your super fund on a quarterly basis, checking your payslip is no guarantee that the contribution you are entitled to has actually been paid into your super account.

### Register for an online account

Many super funds now offer members the option to register for a secure online account to help manage their super. An online account will allow you to check what contributions have been paid into your account, so you can reconcile actual payments against the accruals reported on your payslip.

### Check your annual super statement

Super funds must provide all their members with an annual super statement. The statements are usually made available in August/September each year and will list all the activity on your super account for the previous financial year. Whether you receive your statement by post, online or in an email don't neglect or delete it. If a contribution has been received, it will be listed on the annual statement. If you see that an accrued SG payment has not been received, and it's outside the deadline for your employer to have made the payment, you've have the right to a clear explanation.

Remember to store your statements in a safe place so you can keep track of your account and know how to contact your fund.

## What to do if your employer hasn't made your SG contributions

### Step 1: Check to see if you are actually entitled to super

Your first port of call should be the Australian Tax Office (ATO) to confirm your SG entitlements. They can be contacted by phoning 13 10 20 or online at [www.ato.gov.au](http://www.ato.gov.au).

The ATO provides a useful online SG tool, the *Employee Superannuation Guarantee (SG) calculator*. This can be found at [www.ato.gov.au](http://www.ato.gov.au) under the 'Calculators and tools' tab. As part of your initial enquiries, the tool can help you determine whether you are eligible for SG contributions and if so, the amount of SG you're entitled to. If the tool shows you're entitled to an amount of SG that your employer has not paid, you can print out a summary of the calculation and use this to have discussions with your employer.

<sup>1</sup> 'Missing Contributions', Sydney Morning Herald, 8 August 2012.

<sup>2</sup> Commissioner of Taxation, 2011-12 Annual Report. Available at [www.ato.gov.au/About-ATO/Access,-accountability-and-reporting/In-detail/Annual-reports/Annual-reports/](http://www.ato.gov.au/About-ATO/Access,-accountability-and-reporting/In-detail/Annual-reports/Annual-reports/)



## Step 2: Speak to your super fund and your employer

Once you've determined that you're entitled to SG, contact your super fund to confirm whether or not your employer has paid your super contributions for the period you are investigating. If they haven't, you should speak with your employer.

Ask your employer how often they are currently paying your super, into which fund it is being paid and how much they are paying. Also find out whether a choice of fund was offered to you. Generally these questions are good to ask when you start working with an employer.

If you are not satisfied with the response you receive from your employer you can take the matter further by lodging an enquiry with the ATO.

## Step 3: Lodge an enquiry with the ATO

When you lodge an official enquiry about unpaid super, you will need to provide the ATO with information including:

- Your salary or wage amounts and dates of payments
- All superannuation contributions paid by your employer, including amounts and dates paid
- Your tax file number
- Your employer's details including their Australian Business Number

Other information may also be required. Further details are available at the ATO website.

You can use the ATO's online SG tool (as detailed in Step 1 above) to electronically prepare and lodge your super enquiry, or you can lodge an enquiry over the phone by contacting the ATO on 13 10 20.

## Getting help

Your local Prime Super Client Service Consultant or Regional Manager can help with any of your super queries. Their contact details can be found at **[www.primesuper.com.au](http://www.primesuper.com.au)** or by calling **1800 675 839**.

## Contacting Prime Super

Write to us at:	Locked Bag 5103 Parramatta NSW 2124
Helpline:	1800 675 839
Fax:	1800 023 662
Overseas callers:	+61 2 9374 3967
Email:	<a href="mailto:administration@primesuper.com.au">administration@primesuper.com.au</a>
Website:	<b><a href="http://www.primesuper.com.au">www.primesuper.com.au</a></b>