

Gold Coast workers back-paid \$50,000

www.fairwork.gov.au/%E2%80%9C#twitter) 23 August 2017

Three workers in Queensland's Gold Coast region have been back-paid more than \$50,000 in owed wages and entitlements after seeking assistance from the Fair Work Ombudsman.

In one matter, a full time trainee investment advisor in Surfers Paradise received only commission as payment for a period of seven months.

As a result, the worker received varying amounts of pay each week – and often no income at all – leading to a total underpayment of \$28,000 over the period.

Under the Banking, Finance and Insurance Award 2010, the employee was entitled to receive at least \$22.86 per hour.

Following intervention by the Fair Work Ombudsman, the business cooperated and back-paid the employee the owed wages.

In another matter, the agency assisted a retail worker at a Main Beach restaurant and retail shop to secure \$16,131 in owed annual leave and leave loading entitlements, and a laundry allowance.

The worker, who was a 457 visa holder at the time of his engagement, was employed for eight years under a contract that stipulated that he was entitled to two weeks of annual leave each year. When the employee took leave in excess of two weeks, he did not receive any pay.

When contacted by Fair Work Inspectors, the employer stated that he was not aware that the National Employment Standards required that every employee receive a minimum of four weeks' annual leave per year.

The employer reimbursed the worker his outstanding two weeks of annual leave per year and other outstanding entitlements.

In a third matter, \$8000 in overtime entitlements was back-paid to a customer service representative in Arundel who regularly worked five hours overtime per week.

Fair Work Ombudsman Natalie James said these matters demonstrated how a lack of understanding of workplace laws could lead to hefty back-payment bills for employers.

"In each of these cases, it was the first time the business had come to our attention and each business promptly cooperated to rectify the mistakes," Ms James said.

"However, business operators should be warned that repeated mistakes or cases of deliberate exploitation could result in litigation and potential court penalties in addition to a large repayment bill."

The Fair Work Ombudsman's Pay and Conditions Tool (PACT) can assist business owners to calculate pay rates applicable to their business. Templates for pay slips and time-and-wage sheets are available for free download.

Employees and employers who are unsure about their workplace rights and obligations should visit www.fairwork.gov.au or contact the Fair Work Infoline on 13 13 94.

Small business owners can opt for priority service when calling the Fair Work Infoline by following the prompts.

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