

\$37,000 pay day for Melbourne workers

(www.fairwork.gov.au/%E2%80%9C#twitter) 30 August 2017

The Fair Work Ombudsman has assisted two workers in suburbs north of Melbourne to recover more than \$37,000 in unpaid wages and entitlements after they contacted the agency for assistance.

In one matter, a barista employed at a café in Campbellfield was back-paid \$29,061 after establishing that they had been underpaid for the duration of their employment.

For three years the worker received flat rates of between \$17 and \$19 per hour for all hours worked, resulting in an underpayment of minimum hourly rates and penalty rates.

Under the Fast Food Industry Award 2010, as a casual, the worker was entitled to receive up to \$23.74 for ordinary hours, \$28.49 on Saturdays, \$33.24 on Sundays and \$52.23 on public holidays.

The café was issued with a Letter of Caution, placing it on notice that future breaches of workplace laws may attract enforcement action.

In the second matter, a qualified trade carpenter and joiner in Reservoir was reimbursed \$8595 in owed entitlements.

Following the worker's resignation, the employer failed to pay outstanding annual and long service leave entitlements, as well as payment in lieu of notice due after the employer informed the worker that it was not necessary to see out the relevant notice period.

The Fair Work Ombudsman intervened after the worker became concerned about the length of time it was taking their employer to pay the amounts owed.

Fair Work Ombudsman Natalie James says both businesses promptly agreed to reimburse the workers after having their obligations explained to them.

"These breaches resulted from a lack of understanding of workplace laws on the part of the two employers, highlighting the importance of employers getting informed about their workplace obligations," Ms James said.

"When we identify errors we assist all parties rectify the issues as quickly as possible and put processes in place to ensure mistakes are not repeated.

"Following intervention by my agency, these employers cooperated with inspectors and quickly paid their workers their missing entitlements. These companies have been put on notice and future mistakes could lead to serious intervention, including litigation.

"I encourage employers to make use of the range of resources available on our website and inform themselves about their workplace obligations, and to get in touch with my agency if they need free advice," Ms James said.

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.

The Fair Work Ombudsman's Pay and Conditions Tool (PACT), available at www.fairwork.gov.au, provides advice about pay, shift, leave and redundancy entitlements.

Follow Fair Work Ombudsman Natalie James on Twitter [@NatJamesFWO](https://twitter.com/NatJamesFWO) (<http://twitter.com/NatJamesFWO>), the Fair Work Ombudsman [@fairwork_gov_au](https://twitter.com/fairwork_gov_au) (http://twitter.com/fairwork_gov_au) or find us on Facebook www.facebook.com/fairwork.gov.au (<http://www.facebook.com/fairwork.gov.au>).

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Contact us

Fair Work Online: www.fairwork.gov.au

Fair Work Infoline: 13 13 94

Need language help?

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Hearing & speech assistance

Call through the National Relay Service (NRS):

For TTY: 13 36 77. Ask for the Fair Work Infoline 13 13 94

Speak & Listen: 1300 555 727. Ask for the Fair Work Infoline 13 13 94

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