

Happytel revamps practices after overseas workers underpaid in Adelaide

3 February 2017

The operator of the Happytel mobile phone accessories chain has agreed to revamp its workplace practices after the Fair Work Ombudsman found that two overseas workers at outlets in Adelaide were underpaid a total of more than \$13,000.

Fair Work Ombudsman inspectors investigated last year after receiving requests for assistance from the two overseas workers.

The workers were both Korean nationals in Australia on 417 working holiday visas.

They had worked at the Happytel outlet at the Westfield Tea Tree Plaza in Modbury, while one also worked at the Westfield Marion shopping centre, in Oaklands Park.

Inspectors found the workers had been underpaid a total of \$13,349 between 2013 and 2015 as a result of underpayment of their penalty rates for evening, weekend and public holiday work, as well as a casual loading and leave entitlements.

The workers were underpaid individual amounts of \$9942 and \$3407.

Happytel Retail Group Pty Ltd, which operates a chain of dozens of outlets across Australia as well as outlets overseas, co-operated with the investigation and the workers were promptly back-paid.

Happytel Retail Group, three of its associated companies and two members of the Ryu family which control the Happytel network have also agreed to donate a total of \$7500 to the Asian Women at Work community group and to take a series of measures to ensure future compliance as part of Enforceable Undertakings (EUs) entered into with the Fair Work Ombudsman.

Under the EUs, the companies will commission two professional external audits of their pay practices this year, report the results to the Fair Work Ombudsman and rectify any issues discovered.

They will also display workplace and public notices detailing their contraventions and maintain a telephone hotline and designated email address for staff to make complaints and inquiries and promptly rectify any underpayments identified.

They will also register with the Fair Work Ombudsman's My Account service for employers and commission training on workplace relations laws for managerial staff.

Fair Work Ombudsman Natalie James says the EUs will be an efficient way of improving compliance across a network that employs many vulnerable overseas workers.

"Employers from culturally diverse backgrounds underpaying workers from similar backgrounds is an ongoing concern, but employers should be aware that if they are willing to fully co-operate with us, we can help them understand and comply with Australian laws," Ms James said.

Employers and employees seeking assistance can visit www.fairwork.gov.au or contact the Fair Work Infoline on 13 13 94. A free interpreter service is available by calling 13 14 50 and information on the website is translated into 27 languages.

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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- [Oscar Mobile Pty Ltd Enforceable Undertaking \(DOCX 150.6KB\)](http://www.fairwork.gov.au/ArticleDocuments/971/enforceable-undertaking-oscar-mobile-pty-ltd-redacted.docx.aspx) (www.fairwork.gov.au/ArticleDocuments/971/enforceable-undertaking-oscar-mobile-pty-ltd-redacted.docx.aspx) (PDF 1.3MB) (www.fairwork.gov.au/ArticleDocuments/971/enforceable-undertaking-oscar-mobile-pty-ltd-redacted.pdf.aspx)

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