

## Cleaning company signs undertaking to prevent repeat of underpayment errors

16 January 2017

A cleaning services company has back-paid an underpaid worker in regional Victoria almost \$3000 and agreed to make a \$1000 donation, following intervention by the Fair Work Ombudsman.

The back-payment has been made by Sanikleen Pty Ltd to one of its employees it supplied to work as a cleaner at the Don KR Castlemaine processing plant.

Fair Work Ombudsman inspectors investigated the matter after receiving a request for assistance from the employee last year.

It was determined that the employee had been underpaid a total of \$2856 between 2013 and 2015 as result of Sanikleen's failure to provide him with a part-time loading, penalty rates for Saturday work and paid meal breaks.

Sanikleen fully co-operated with the Fair Work Ombudsman's investigation and promptly back-paid the employee in full.

The company has also entered into an Enforceable Undertaking (EU) with the Fair Work Ombudsman aimed at encouraging behavioural change and future compliance.

Under the EU, Sanikleen has agreed to make a \$1000 donation to the Cleaning Accountability Framework, aimed at promoting a culture of compliance with workplace laws in the cleaning industry.

The company will also commission training on workplace relations laws for managerial staff and commission external audits of its payment practices for the next three years, report the results to the Fair Work Ombudsman and rectify any underpayments found.

The company will also display a workplace notice detailing its contraventions and take steps to comply with workplace laws in future, including registering with the Fair Work Ombudsman's My Account portal.

Fair Work Ombudsman Natalie James says the matter serves as a reminder to any employer uncertain about their obligations that they should proactively seek advice and assistance to ensure they are paying employees correctly.

"Underpayment of vulnerable workers in the cleaning industry is a persistent issue and the industry will continue to be a priority for us," Ms James said.

Employers and workers seeking assistance can visit [www.fairwork.gov.au](http://www.fairwork.gov.au) or call the Fair Work Infoline on 13 13 94. An interpreter service is available at 13 14 50.

The Agency's Pay and Conditions Tool (PACT) provides advice about pay, shift, leave and redundancy entitlements. Visit [www.calculate.fairwork.gov.au](http://www.calculate.fairwork.gov.au) (<https://calculate.fairwork.gov.au>) to learn more.

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](http://twitter.com/fairwork_gov_au)) or find us on Facebook [www.facebook.com/fairwork.gov.au](http://www.facebook.com/fairwork.gov.au) (<http://www.facebook.com/fairwork.gov.au>).

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Download the [Sanikleen Pty Ltd Enforceable Undertaking \(DOCX 150.2KB\)](http://www.fairwork.gov.au/ArticleDocuments/971/enforceable-undertaking-sanikleen-redacted.docx.aspx) ([www.fairwork.gov.au/ArticleDocuments/971/enforceable-undertaking-sanikleen-redacted.docx.aspx](http://www.fairwork.gov.au/ArticleDocuments/971/enforceable-undertaking-sanikleen-redacted.docx.aspx)) (PDF 1.1MB) ([www.fairwork.gov.au/ArticleDocuments/971/enforceable-undertaking-sanikleen-redacted.pdf.aspx](http://www.fairwork.gov.au/ArticleDocuments/971/enforceable-undertaking-sanikleen-redacted.pdf.aspx))

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## Contact us

Fair Work Online: [www.fairwork.gov.au](http://www.fairwork.gov.au)

Fair Work Infoline: 13 13 94

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Contact the Translating and Interpreting Service (TIS) on 13 14 50

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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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