

Young apprentice pastry chef short-changed \$7000

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The Fair Work Ombudsman has recovered more than \$7000 back-pay for a young worker at a food manufacturing business in inner Sydney.

The Fair Work Ombudsman conducted inquiries into the matter after the worker, a full-time third-year apprentice pastry chef, contacted the Agency seeking assistance.

The worker, aged 20, worked approximately 50 hours each week and was paid an annual salary of \$30,400, which meant the effective rate she received was less than \$12 an hour.

Under the General Retail Industry Award at the time, she was entitled to receive hourly rates of \$16.10 for ordinary hours, \$20.13 on Saturdays, \$32.20 on Sundays, and up to \$40.25 for public holiday and overtime work.

An officer from the Fair Work Ombudsman contacted the business, based at Darlinghurst, and provided the business operator with information about obligations under workplace laws.

The operator subsequently back-paid the employee a total of \$7300, which had been underpaid over an eight-month period in 2015-16.

Acting Fair Work Ombudsman Michael Campbell says wages paid to salaried employees must be sufficient to cover minimum entitlements under the applicable award or agreement.

“For young workers, one of the best defences against being short-changed is an awareness of your workplace rights and the knowledge that you can turn to the Fair Work Ombudsman for free advice and assistance if you have concerns, like this employee did,” Mr Campbell said.

Other recent recoveries in inner Sydney include:

- \$13,880 for an employee of a multinational consulting company in Rosebery who was not paid the correct termination entitlements under the applicable enterprise agreement,
- \$6250 for a business analyst in the Sydney CBD who did not receive a redundancy payment she was entitled to after her employment was terminated, and
- \$5150 for a worker at a Sydney CBD recruitment business who was unpaid for some work performed because of a delay in the employer’s payment processes.

Mr Campbell says in all cases, the businesses fully co-operated with the Fair Work Ombudsman and promptly rectified the underpayments without the need for enforcement action.

“When we find errors, our preference is to educate employers about their obligations and assist them to put processes in place to ensure mistakes are not repeated,” he said.

Employees and employers who are unsure about their workplace rights and obligations can seek assistance at www.fairwork.gov.au or call the Fair Work Infoline on 13 13 94. Resources available on the website include the Pay and Conditions Tool (PACT) to assist business owners to calculate minimum pay rates and templates for pay slips and time-and-wages sheets.

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Contact us

Fair Work Online: www.fairwork.gov.au

Fair Work Infoline: 13 13 94

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