

\$125k back-pay for workers in south-east Melbourne

20 January 2017

A former manager of an automotive repair business at Seaford in Victoria has been reimbursed \$102,990 following intervention by the Fair Work Ombudsman.

The employee was not paid his annual leave entitlements and long service leave entitlements after he resigned from the company following more than 25 years of service.

The worker contacted the Fair Work Ombudsman for assistance to confirm that he was entitled to receive payment following his termination of employment.

Advisers from the Fair Work Ombudsman subsequently provided the employee with advice and various tools and resources that assisted him to resolve the matter with the employer. The worker received their unpaid entitlements in two lump sum payments within a week.

In another recent matter in south east Melbourne, the Fair Work Ombudsman helped recover \$16,424 for the former employee of a building products outlet in Moorabbin who was underpaid his minimum hourly rate over almost four years.

The casual retail employee was paid \$18.96 an hour for the duration of his employment.

Under the General Retail Industry Award 2010, as a level 1 employee, he should have received up to \$23.15 an hour for ordinary hours.

In a further matter in south east Melbourne, the Fair Work Ombudsman assisted a foreman in Carrum Downs to recover \$5623 in entitlements.

The employee sought assistance from the Fair Work Ombudsman after she did not receive her final pay and annual leave entitlements after she resigned from the business, despite having given the appropriate notice.

Acting Fair Work Ombudsman Michael Campbell says all of the employers in these instances avoided enforcement action because they co-operated and voluntarily rectified the underpayments after being made aware of their obligations.

"The underpayments in these instances were inadvertent and were the result of employers failing to check their obligations under workplace laws," Mr Campbell said.

"All of these employers avoided further enforcement action by co-operating with the Fair Work Ombudsman and voluntarily rectifying the underpayments."

The Fair Work Ombudsman has a number of tools and resources to help employees and employers ensure they are meeting their workplace obligations and assist them to resolve issues in the workplace when they arise.

"Our online tools and resources can assist employees and employers to determine their applicable Award, as well as classification and pay rates, allowances, overtime and penalty rates," Mr Campbell said.

The Fair Work Ombudsman's 'My Account' portal enables employers to view and save pay rates and receive alerts about minimum wage increases.

Employees and employers who have concerns about their workplace rights and entitlements can seek assistance from the Fair Work Infoline on 13 13 94 or visit www.fairwork.gov.au.

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Fair Work Online: www.fairwork.gov.au

Fair Work Infoline: 13 13 94

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