

## Townsville café operator faces legal action over failure to pay compensation

14 July 2017

The former operator of a café at Townsville in regional Queensland is facing court for allegedly ignoring a Fair Work Commission order to compensate an employee who was unfairly dismissed.

The Fair Work Ombudsman has commenced a legal proceeding against Port Douglas Investments Pty Ltd, which formerly operated the 'Three Beans and a Chef' café in Townsville.

Also facing Court is the company's owner and sole director, Theo Sourlos.

Last year, the Fair Work Commission made an order requiring Port Douglas Investments Pty Ltd to pay \$6200 compensation to an employee it found had been unfairly dismissed in 2015 after working at the 'Three Beans and a Chef' café as an assistant and a manager.

The employee contacted the Fair Work Ombudsman seeking assistance after the compensation amount was not paid.

The Fair Work Ombudsman has made several requests for Port Douglas Investments Pty Ltd and Mr Sourlos to comply with the Commission's order but the compensation amount remains unpaid.

The Fair Work Ombudsman has made several requests for Port Douglas Investments Pty Ltd and Mr Sourlos to comply with the Commission's order. In correspondence with Fair Work Inspectors, Mr Sourlos maintained Port Douglas Investments Pty Ltd did not have to pay the amount ordered by the Commission, and it still remains unpaid.

Fair Work Ombudsman Natalie James says her Agency has an important role to play in enforcing orders issued by the Fair Work Commission.

"Compliance with Fair Work Commission orders is fundamental for the integrity of the workplace relations system and employers should be aware that we are prepared to take action where appropriate," Ms James said.

Port Douglas Investments Pty Ltd and Mr Sourlos allegedly committed one contravention of workplace laws and face maximum penalties of \$54,000 and \$10,800, respectively.

The Fair Work Ombudsman is also seeking a Court Order for the company and Mr Sourlos to pay the outstanding compensation amount owed to the employee and an order for legal costs.

A directions hearing is listed in the Federal Circuit Court in Brisbane on July 17.

The Fair Work Ombudsman has commenced legal action against more than 10 employers over the past five years for failing to pay unfair dismissal compensation ordered by the Fair Work Commission.

The largest penalties of nearly \$50,000 were secured against Melbourne company World Gym Sunshine Pty Ltd ([www.fairwork.gov.au/about-us/news-and-media-releases/archived-media-releases/2014-media-releases/september-2014/20140930-world-gym-penalty](http://www.fairwork.gov.au/about-us/news-and-media-releases/archived-media-releases/2014-media-releases/september-2014/20140930-world-gym-penalty)) and its director Wayne George Mailing in 2014 for failing to pay \$2200 compensation.

Employers and employees can seek assistance at [www.fairwork.gov.au](http://www.fairwork.gov.au) or contact the Fair Work Infoline on 13 13 94. A free interpreter service is available on 13 14 50.

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**Page reference No: 7464**

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

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