

## Victorian business faces legal action over failure to pay compensation

28 March 2017

A former trolley collecting services operator in regional Victoria is facing court for allegedly ignoring Fair Work Commission orders to compensate two employees who had been unfairly dismissed.

The Fair Work Ombudsman has commenced legal proceedings against Victorian man William Collen Hancock and his company WCH Services Pty Ltd, which formerly provided trolley collecting services in the Latrobe Valley area, including at retail sites in Traralgon and Morwell.

Last year, the Fair Work Commission ordered Mr Hancock's company to pay \$17 392 and \$4446 compensation, respectively, to two trolley collectors it found had been unfairly dismissed in 2015.

Mr Hancock and his company appealed against the order relating to the larger compensation amount but the Fair Work Commission dismissed the appeal in August last year.

The employees lodged requests for assistance with the Fair Work Ombudsman after the compensation amounts were not paid.

The Fair Work Ombudsman has made several requests for Mr Hancock and his company to comply with the Commission's orders but the compensation amounts remain unpaid.

"Our inspectors made repeated efforts to engage with this business to try to resolve the matter, but were not able to secure co-operation," Acting Fair Work Ombudsman Michael Campbell said.

Mr Campbell says his 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," Mr Campbell said.

Mr Hancock and his company allegedly committed two contraventions of workplace laws and they face maximum penalties of \$10,800 and \$54,000 per contravention, respectively.

The Fair Work Ombudsman is also seeking a Court Order for Mr Hancock and his company to pay the outstanding compensation amounts owed to the employees and an order for legal costs.

A directions hearing is listed in the Federal Circuit Court in Melbourne on 13 April 2017.

The Fair Work Ombudsman has secured penalties against a number of employers 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 and its director Wayne George Mailing in 2014 for failing to pay \$2200 compensation (see: [Company, director fined almost \\$50,000 for ignoring unfair dismissal compensation Order \(www.fairwork.gov.au/about-us/news-and-media-releases/archived-media-releases/2014-media-releases/september-2014/20140930-world-gym-penalty\)](http://www.fairwork.gov.au/about-us/news-and-media-releases/archived-media-releases/2014-media-releases/september-2014/20140930-world-gym-penalty) ).

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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