

Goulburn Valley workers back-paid more than \$34,000

4 October 2017

Twenty three workers in Victoria's Goulburn Valley region have been back-paid more than \$34,000 in wages and entitlements after seeking assistance from the Fair Work Ombudsman.

In one matter, a worker at an automotive repair and maintenance business in Kyabram was dismissed without being paid his lawful entitlements of notice of termination, annual leave and long service leave.

The Fair Work Ombudsman intervened and the business agreed to pay the employee an amount of \$11,602.

In a separate matter, a full-time employee in Kyabram who was made redundant was not given redundancy payments as his employer believed the small business was exempt.

Under the Building and Construction On-site Award 2010, the business was required to pay the employee redundancy payments upon the termination.

Following intervention by the Fair Work Ombudsman, the business cooperated and back-paid the employee \$8,000.

In another matter, the agency assisted 19 wait staff at a Shepparton restaurant who had been underpaid a combined \$8,207. Ten of these employees were aged between 16 and 19.

The employer had misclassified the workers as level 1 staff and paid them accordingly rather than at the level 2 rates they were entitled to under the Restaurant Industry Award 2010.

After being contacted by the Fair Work Ombudsman and informed of the appropriate classification, the business fully cooperated and rectified all underpayments promptly.

In a third matter, two apprentices working as electrical contractors in the Cobram area were underpaid \$6,725. The underpayments were caused by the employer failing to pay both the correct hourly rate and the applicable industry allowances under the Electrical, Electronic and Communications Contracting Award 2010.

Fair Work Ombudsman Natalie James said each business was now on notice that further mistakes could result in serious enforcement action, such as litigation and the potential for hefty penalties.

"There is a wealth of free advice and educational material on our website and we have a dedicated small business infoline so there is absolutely no excuse for making these mistakes," Ms James said.

"In each of these cases it was the first time the business had come to our attention and each quickly rectified the issues so we determined that lengthy court proceedings were not necessary in these circumstances." Ms James said.

"However, we revisit businesses that have been found non-compliant and these operators have been warned that if they continue to make mistakes, they can expect to be subject to court proceedings or an enforceable undertaking."

Employers and employees can visit www.fairwork.gov.au or call the Fair Work Infoline on 13 13 94 for free advice and assistance about their rights and obligations in the workplace. A free interpreter service is available on 13 14 50.

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

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Contact us

Fair Work Online: www.fairwork.gov.au

Fair Work Infoline: 13 13 94

Need language help?

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

Hearing & speech assistance

Call through the National Relay Service (NRS):

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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