

Queensland electrical contractor faces legal action over alleged failure to pay compensation

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A Queensland electrical contracting company 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 legal action against Logan City Electrical Service Division Pty Ltd and the company's sole director, Peter Burnitt, in the Federal Circuit Court.

Last year, the Fair Work Commission made an order requiring Logan City Electrical to pay \$21,505 in compensation to an employee it found had been unfairly dismissed in 2017 after working for the company for almost five years as a refrigeration and air-conditioning mechanic.

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

The Fair Work Ombudsman attempted to resolve the matter but the compensation amount 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.

"The Fair Work Commission is a fundamental part of the workplace relations system and it is contemptuous for parties bound by obligations its orders to ignore them. Those parties need to take their obligations under the orders seriously and need to know that the FWO will take action to uphold them," Ms James said.

Logan City Electrical Service Division Pty Ltd and Mr Burnitt have allegedly contravened workplace laws in not complying with the order and the Fair Work Ombudsman is seeking that the court impose penalties, which are up to a maximum of \$63,000 and \$12,600 respectively.

The Fair Work Ombudsman is also seeking a court order for the company and Mr Burnitt 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 June 25.

The Fair Work Ombudsman has secured penalties in Court against several employers over the past five years for failing to pay unfair dismissal compensation ordered by the Fair Work Commission.

In one matter, 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 or contact the Fair Work Infoline on 13 13 94. A free interpreter service is available on 13 14 50.

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Contact us

Fair Work Online: www.fairwork.gov.au

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