

## Record penalties against technology company

20 August 2018

The Fair Work Ombudsman has obtained record penalties against Brisbane-based Macquarie Technology Group International Pty Ltd and owner Paul Desmond Wallace for failing to comply with an order to compensate an employee who had been unfairly dismissed.

Mr Wallace operates a business that engineers, distributes, installs and services wireless technology for radio communication and has been penalised \$20,600 in the Federal Circuit Court. His company has been penalised a further \$105,000.

In 2014, the Fair Work Commission ordered Wallace's company to pay \$20,769 compensation to an engineer based in the Nowra region it found had been unfairly dismissed, and later also ordered Wallace's company to pay the employee costs of \$8,470.

After making several requests for Wallace and his company to pay the compensation and costs to the worker, the Fair Work Ombudsman took legal action against them for contravening the Fair Work Act by failing to comply with the Commission's orders.

Fair Work Ombudsman Sandra Parker said that \$125,600 in total penalties is a record against an employer for failing to comply with an order to pay unfair dismissal compensation.

"The penalties obtained by the Fair Work Ombudsman send a strong message to businesses that there are serious consequences for failing to comply with Fair Work Commission Orders."

"It is fundamental for the integrity of the workplace relations system that orders are complied with and we will take legal action to ensure employees receive compensation," Ms Parker said.

In addition to imposing penalties for contravening the Fair Work Act, the Federal Circuit Court has ordered Wallace's company to pay the \$29,239 in outstanding compensation and costs to the employee, plus interest of \$5,646. The Federal Court of Australia then dismissed appeals by Wallace's company against the same orders in December 2016.

The Court has also made an order stipulating that if Wallace's company fails to pay the employee compensation and costs owed, the penalties imposed against Wallace be directed to the employee to partially rectify the amounts owed.

### Background

The Full Bench of the Commission dismissed appeals by Wallace's company against the compensation and costs orders in 2015. The Court has also ordered Wallace's company to pay the Fair Work Ombudsman \$2,678 in legal costs.

It is the second time the Fair Work Ombudsman has secured penalties against Wallace and Macquarie Technology Group International. The Fair Work Ombudsman secured penalties totalling \$6,380 against Wallace and the company in Court in 2011 for underpaying an employee almost \$6,000. The underpayment was rectified only after the Fair Work Ombudsman initiated legal action.

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