

## Meatball and Wine Bar penalised for underpayments

23 August 2018

The Fair Work Ombudsman has secured a \$31,320 penalty against Melbourne restaurant operator Meatball and Wine Bar Pty Ltd for underpaying 26 workers, including visa holders, across three restaurants.

The Federal Circuit Court imposed the penalty after the company admitted underpaying 26 workers across its 'Meatball and Wine Bar' restaurants in the Melbourne CBD, Richmond and Collingwood a total of \$14,149 between 4 July and 2 October 2016.

The underpayments were rectified in June 2017, before the Fair Work Ombudsman commenced proceedings.

The employees, who worked as wait staff or kitchen hands, were paid flat rates between \$17.31 and \$21.69 per hour.

The employees included 11 visa holders on student or working holiday visas. All but four of the workers were aged in their 20s.

The flat rates led to underpayment of various entitlements for some employees, including minimum wage rates, overtime rates, casual loadings and penalty rates for weekend and late night work.

The Court made declarations that The Meatball and Wine Bar Pty Ltd committed these contraventions in addition to breaches of its legal obligations to make and keep relevant employee records.

Fair Work Ombudsman Sandra Parker said an inspector discovered the underpayments after initially auditing the Richmond restaurant as part of a compliance campaign targeting popular food precincts in 2016.

"Employers must ensure they comply with their lawful obligation to pay employees the minimum pay rates they are entitled to as Fair Work inspectors may arrive to check records anytime," Ms Parker said.

"The Fair Work Ombudsman will continue to target industries where we are concerned about the underpayment of overseas workers, as they can be particularly vulnerable and reluctant to request our assistance."

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 and information on the website is translated into 40 languages.

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Fair Work Infoline: 13 13 94

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