

## Printing business penalised

22 November 2019

The operators of a Sydney printing finishing business have back-paid migrant workers \$229,564 and been penalised a combined \$18,144 following Fair Work Ombudsman court action.

The Federal Circuit Court imposed a penalty of \$3,024 against Lloyd Lam and \$15,120 against his company Mega Tabs Services Pty Ltd after the company failed to comply with a Compliance Notice that required it to back-pay the workers by 27 August 2018.

The workers, in Australia from Korea on 417 working holiday visas, were underpaid in their roles cutting, gluing and assembling paper and cardboard at the company's Alexandria premises in inner Sydney between November 2013 and November 2015.

The workers were paid a flat hourly rate of \$13 that led to underpayments of base rates of pay, casual loading, afternoon and night shift allowances, public holiday penalty rates and overtime rates owed under the Graphic Arts, Printing and Publishing Award 2010.

For example, workers were allegedly entitled to combined base rates and casual loading of between \$20.63 and \$21.69 per hour, and penalty rates of up to \$54 per hour.

Fair Work Ombudsman Sandra Parker said that the regulator litigated after the company failed to back-pay workers what they were lawfully entitled to.

"This matter should serve as a warning to all employers about the consequences of disregarding Compliance Notices. Fair Work Inspectors use this enforcement tool to promptly address underpayments and we won't hesitate to take employers to court to enforce them and seek penalties."

"The Fair Work Ombudsman is prioritising the protection of migrant workers, who have the same workplace rights as all Australians but can be particularly vulnerable due to language and cultural barriers, or visa status. Any workers with concerns about their pay should contact us," Ms Parker said.

Individual workers were owed between \$4,105 and \$36,666. The company finalised the back-payments last week, one day before the penalty hearing and more than 14 months after the deadline.

The Fair Work Ombudsman has an agreement with the Department of Home Affairs where visa holders can ask for our help without fear of their visa being cancelled.

Employers and employees can visit [www.fairwork.gov.au](http://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.

Anonymous reports can also be made to the Fair Work Ombudsman [online \(https://www.fairwork.gov.au/how-we-will-help/how-we-help-you/help-us-keep-workplaces-fair\)](https://www.fairwork.gov.au/how-we-will-help/how-we-help-you/help-us-keep-workplaces-fair) .

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## Contact us

Fair Work Online: [www.fairwork.gov.au](http://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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