

## The Ironing Shop franchisee faces court

20 September 2019

The Fair Work Ombudsman has commenced legal action against the operators of four 'The Ironing Shop' outlets in Brisbane, alleging they paid a Chinese national wages as low as \$8 an hour and falsified records.

Facing the Federal Circuit Court are Mr Yuyin Luo and Ms Shujing Hou and their company ANS.HL Trading Pty Ltd (ANS.HL), which owns and operates 'The Ironing Shop' franchise at Teneriffe, Kangaroo Point, Norman Park and Ascot, offering services such as ironing, dry cleaning, clothing repairs and clothing alterations.

It is alleged that a Chinese national employed across the four outlets was initially paid a flat rate of \$8 an hour, later increasing to \$12 an hour, over a two-year period from 2015 to 2017 when she was aged in her mid-20s and in Australia on student and bridging visas.

This allegedly resulted in underpayment of the ordinary hourly rates, casual loadings, overtime rates and Saturday penalty rates she was entitled to under the Dry Cleaning and Laundry Industry Award 2010. It is also alleged that ANS.HL failed to make the required superannuation contributions for the worker.

The worker was allegedly underpaid a total of \$28,404.

Fair Work Inspectors investigated after the worker lodged a request for assistance in September 2018.

"The alleged payment of low, flat rates that undercut Award entitlements is completely unacceptable conduct and we treat underpayment of visa holders particularly seriously," Fair Work Ombudsman Sandra Parker said.

"Enforcing compliance with workplace laws in the franchising sector continues to be a priority for the Fair Work Ombudsman. Employers in this sector are on notice that they must pay all employees according to Australia's lawful minimum pay rates."

It is also alleged that ANS.HL breached workplace laws related to frequency of payment, falsifying records, making and keeping records and issuing pay slips. It is alleged that Mr Luo and Ms Hou were involved in each of the company's alleged contraventions.

"Employers should be aware that the Fair Work Ombudsman takes allegations of false and misleading records extremely seriously," Ms Parker said. "Any employees with concerns about false records or pay slips should contact us for assistance."

Mr Luo and Ms Hou face penalties of up to \$12,600 per contravention and ANS.HL Trading Pty Ltd up to \$63,000 per contravention. The alleged underpayment has been rectified. The FWO is also seeking court orders requiring Mr Luo, Ms Hou and ANS.HL Trading Pty Ltd to register with the My Account portal at [www.fairwork.gov.au](http://www.fairwork.gov.au) and complete all courses for employers.

A directions hearing is listed in the Federal Circuit Court in Brisbane on 20 December 2019.

Employers and employees seeking assistance can visit [www.fairwork.gov.au](http://www.fairwork.gov.au) or call the Fair Work Infoline on 13 13 94. An interpreter service is available on 13 14 50.

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## Contact us

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

Fair Work Infoline: 13 13 94

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For TTY: 13 36 77. Ask for the Fair Work Infoline 13 13 94

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