

## Perth café allegedly falsified pay records

14 December 2020

The Fair Work Ombudsman has commenced legal action in the Federal Circuit Court against the former operators of a café in the Perth CBD, alleging it falsified staff payment and time records.

Facing court are Quickpoint Pty Ltd, which formerly operated a Japanese café trading as Shimizu Harbour Town, and the company's sole director Augustine Lawrence Chia.

After receiving underpayment allegations through its [Anonymous Report tool \(www.fairwork.gov.au/workplace-problems/fixing-a-workplace-problem/anonymous-report/anonymous-tipoff\)](http://www.fairwork.gov.au/workplace-problems/fixing-a-workplace-problem/anonymous-report/anonymous-tipoff), FWO commenced an investigation and issued Quickpoint with a Notice to Produce (NTP) documents.

It is alleged that in response to the NTP, Quickpoint, through Mr Chia, on two separate occasions knowingly provided inspectors with falsified records, including false time and wage records purporting to show employees had been paid significantly higher rates than they had been.

The FWO alleges it has obtained correspondence in which Quickpoint, through Mr Chia, directed two employees to tell inspectors they had been paid up to \$29 an hour, despite the company having paid the employees only \$15 to \$16 per hour.

It is also alleged that the company, through Mr Chia, made false pay slips, provided them to the two employees and encouraged the employees to provide the pay slips to the inspectors.

Fair Work Ombudsman Sandra Parker said providing false records is a serious matter.

"Employers need to be aware that we have experienced inspectors who have various methods for determining whether the records they are provided during an investigation are legitimate."

"Businesses are on notice that we are cracking down on non-compliance in the fast food, restaurant and café sector as a priority this year. Any worker with concerns about their pay or entitlements should contact the Fair Work Ombudsman," Ms Parker said

Quickpoint has made back-payments to employees and the FWO is not seeking penalties in relation to any underpayment matters.

The FWO is seeking penalties against Quickpoint Pty Ltd and Mr Chia for multiple alleged contraventions of workplace laws relating to false records and pay slips.

The company faces maximum penalties of up to \$63,000 per contravention and Mr Chia faces maximum penalties of up to \$12,600 per contravention.

A directions hearing has been listed in the Federal Circuit Court in Perth on 28 January 2021.

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.

Know a workplace not doing the right thing but don't want to get involved? [Report it anonymously \(www.fairwork.gov.au/workplace-problems/fixing-a-workplace-problem/anonymous-report/anonymous-tipoff\)](http://www.fairwork.gov.au/workplace-problems/fixing-a-workplace-problem/anonymous-report/anonymous-tipoff) – in your language.

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Media inquiries:

Matthew Raggatt, Assistant Media Director (A/g)

Mobile: 0466 470 507

[matthew.raggatt@fwo.gov.au](mailto:matthew.raggatt@fwo.gov.au) (mailto:matthew.raggatt@fwo.gov.au)

## Contact us

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

Fair Work Infoline: 13 13 94

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