

Former accounting firm penalised

27 October 2020

The Fair Work Ombudsman has secured a penalty of \$28,350 in Court against UHY Sothertons Sydney Pty Ltd, a company which formerly operated a Sydney accounting firm.

The Federal Circuit Court imposed the penalty after finding the company had failed to comply with a Compliance Notice issued by the Fair Work Ombudsman requiring it to calculate and back-pay entitlements owing to four employees.

In addition to the penalty, the Court has also ordered UHY Sothertons Sydney to comply with the Compliance Notice, which includes rectifying underpayments in full, plus superannuation and interest.

Fair Work Ombudsman Sandra Parker said businesses that fail to act on Compliance Notices face court-imposed penalties in addition to having to back-pay any underpaid staff.

“Under the Fair Work Act, Compliance Notices are important tools used by inspectors if they form a belief that an employer has breached workplace laws,” Ms Parker said.

“We make every effort to secure voluntary compliance with Compliance Notices but where they are not followed, we are prepared to take legal action to ensure workers receive their lawful entitlements.”

“Any employees with concerns about their pay or entitlements should contact us for free advice and assistance,” Ms Parker said.

UHY Sothertons Sydney operated an accounting firm in Bondi Junction until it sold the business to another company in April 2019.

UHY Sothertons Sydney had employed the four employees, all of whom had their employment terminated when the business was sold.

Under the terms of the sale agreement, UHY Sothertons Sydney was responsible for paying out the employees’ final entitlements.

The Fair Work Ombudsman investigated after the employees lodged requests for assistance.

A Fair Work inspector issued the Compliance Notice after forming a belief that the employees had not been paid their accrued but untaken annual leave entitlements under the National Employment Standards.

Employers and employees can visit 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.

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

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Contact us

Fair Work Online: 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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