

Trolley collecting operator faces court

23 April 2021

The Fair Work Ombudsman has commenced legal action against the operator of a trolley collecting business in regional NSW for allegedly breaching a Fair Work Commission order.

Facing the Federal Circuit Court is Mahmoud Hasan Abulamoun, who operated a trolley collection business at the Green Hills East Maitland Shopping Centre.

In August 2020, the Fair Work Commission found that in May 2020, Mr Abulamoun unfairly dismissed a trolley collector he had employed since September 2018.

The Fair Work Commission ordered Mr Abulamoun to pay the worker \$2817.39 compensation. Mr Abulamoun subsequently appealed unsuccessfully.

The employee lodged a request for assistance with the Fair Work Ombudsman after the company allegedly failed to pay the compensation.

The FWO commenced an investigation and, in line with the FWO's proportionate approach to regulation during the COVID-19 pandemic, made several attempts to secure voluntary compliance before commencing legal action.

Fair Work Ombudsman Sandra Parker said the legal action would reinforce the importance of the Commission's orders.

"It is fundamental for the integrity of the workplace relations system that Fair Work Commission orders are complied with," Ms Parker said.

"The Fair Work Ombudsman is clearly prepared to take legal action to ensure that employees receive compensation they are lawfully entitled to."

The FWO alleges Mr Abulamoun has breached the Fair Work Act by failing to comply with a Fair Work Commission order and is seeking a penalty against him.

Mr Abulamoun faces a penalty of up to \$12,600.

The Fair Work Ombudsman is also seeking a court order for Mr Abulamoun to pay the outstanding compensation owed to the employee, plus interest.

A directions hearing is listed in the Federal Circuit Court in Sydney for 7 May 2021.

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.

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Fair Work Online: www.fairwork.gov.au

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

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