

## \$234,000 recovered for underpaid workers in Sydney's south and south western suburbs

9 December 2010

The Fair Work Ombudsman has recently recovered \$234,000 back-pay for workers in Sydney's south and south-western suburbs.

The biggest recovery was \$64,500 for a driver in Mascot who was underpaid penalty rates for almost five years.

After Fair Work inspectors contacted the company and explained its obligations, the worker was back-paid his entitlements in full.

In another case, a Greenacre clerical worker has been reimbursed \$25,200 after being underpaid the minimum hourly rate and annual leave entitlements.

And a butcher in Mascot - who worked for the same company for 10 years - has been back-paid \$25,100 after he was not paid accrued annual leave and long service leave on termination.

Inspectors discovered the underpayments through a combination of routine audits and investigations into complaints from workers.

Significant underpayments were identified in the transport, hospitality, security, management, trade and service sectors.

Common issues of non-compliance encountered by inspectors include underpayment of workers' minimum hourly rates, penalty rates, workers not paid for all hours worked and failure to pay full entitlements to workers upon termination of their employment.

Other recoveries include:

- \$16,000 for a Moorebank packer underpaid the minimum hourly rate and penalty rates for three years,
- \$10,200 for a Roseberry professional in the science industry underpaid termination entitlements,
- \$9900 for a Bass Hill childcare worker underpaid the minimum hourly rate and annual leave loading,
- \$9000 for a Punchbowl security worker not paid penalty rates, annual leave or given meal breaks,
- \$7900 for a Punchbowl childcare worker underpaid the minimum hourly rate,
- \$7800 for a Narwee electrician not paid penalty rates for three years,
- \$7700 for a Chullora worker in the printing industry not paid on suspension,
- \$7700 for a Wetherill Park warehouse worker underpaid termination entitlements,
- \$7200 for a Chipping Norton tradesman underpaid annual leave and pay in lieu of notice,
- \$7100 for a Mascot worker in the transport industry underpaid allowances,
- \$7000 for a Miranda salesperson underpaid redundancy entitlements,
- \$6600 for a Liverpool sales manager underpaid the minimum hourly rate,
- \$5400 for a Camden apprentice underpaid the minimum hourly rate,
- \$5300 for a administrative worker in Leumeah not paid penalty rates, and
- \$5000 for a Mascot warehouse worker underpaid redundancy, long service leave and pay in lieu of notice.

Fair Work Ombudsman Executive Director Michael Campbell says that given all the employers co-operated and voluntarily rectified the matters, there will be no further action against the companies involved.

Mr Campbell says that in most cases, the Fair Work Ombudsman does not prosecute employers for inadvertent breaches of workplace laws.

"Our preference is always to work with employers to educate them and help them voluntary rectify any non-compliance issues," he said.

"Employers need to regularly review their Award or agreement to ensure they are fully aware of their obligations to their workers."

The Fair Work Ombudsman has a number of tools on its website - [www.fairwork.gov.au](http://www.fairwork.gov.au) - to assist employees and employers to check minimum rates of pay, including PayCheck, PayrollCheck and a Pay Rate Calculator.

Small to medium-sized businesses without human resources staff can also ensure they are better equipped when hiring, managing and dismissing employees by using free template employment documentation with step-by-step instructions or accessing a series of Best Practice Guides.

Online resources also include payslip and record-keeping templates, a self-audit checklist and fact sheets.

The 'Industries' section on the Fair Work Ombudsman's website provides information specifically tailored for employers and workers in the retail, cleaning, clerical, hair and beauty, security and horticulture industries.

Employers or employees seeking assistance or further information can also contact the Fair Work Infoline on 13 13 94 from 8am-6pm weekdays. For translations, call 13 14 50.

Note: we are unable to provide additional information on the cases listed above.

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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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