

Almost \$200,000 recovered for underpaid workers in Sydney's north and north-west

10 December 2010

The Fair Work Ombudsman has recently recovered \$196,800 for underpaid workers in Sydney's north and north-western suburbs.

The biggest recovery was \$57,100 for two North Sydney information technology workers.

The workers lodged complaints with the Fair Work Ombudsman after they had not been paid wages for more than three months.

After Fair Work inspectors contacted the company and explained its obligations, the workers were reimbursed \$30,900 and \$26,200 respectively.

In a separate case, a Lane Cove health worker has been back-paid \$33,300 for almost 400 hours of unpaid overtime.

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

Common non-compliance issues 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 recent recoveries include:

- \$25,800 for an Artarmon manager underpaid annual leave and long service leave and who had wages withheld,
- \$16,000 for two Chatswood drivers underpaid the minimum hourly rate and penalty rates,
- \$13,000 for a Galston bus driver underpaid the minimum hourly rate,
- \$10,200 for a Brookvale clerk not paid redundancy entitlements,
- \$7900 for an Eastwood professional trainer not paid wages,
- \$7700 for a caterer at St Leonards not paid redundancy entitlements,
- \$7400 for a Ryde dental worker underpaid the minimum hourly rate,
- \$7400 for a young Dee Why administration worker underpaid the minimum hourly rate and termination entitlements,
- \$5500 for a Castle Hill clerical worker underpaid the minimum hourly rate, and
- \$5500 for a North Willoughby chef not paid annual leave entitlements.

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 voluntarily 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 - 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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