

## Port Fairy restaurant allegedly underpaid casual waitresses almost \$8000

9 February 2010

The Fair Work Ombudsman has launched a prosecution against the former owner of a Port Fairy restaurant for allegedly underpaying three workers almost \$8000.

Facing court is Port Fairy man David Farnhill, who was the sole owner and director of Adamsleigh Pty Ltd, which went into liquidation last year.

Through his company, Mr Farnhill owned and managed Wisharts at the Wharf Restaurant and Bar in Port Fairy.

Documents lodged in the Melbourne Magistrates' Court allege Mr Farnhill was centrally involved in his company underpaying three casual waitresses a total of \$7975 in 2008-2009.

The workers were allegedly paid a flat hourly rate of \$18.50 to \$19.50 for all hours worked when they were entitled to up to \$20 an hour on weekdays, \$23 on Saturdays, \$26 on Sundays and \$42 on public holidays.

It is alleged that Mr Farnhill was also involved in his company failing to comply with numerous requests from Fair Work inspectors to provide time-and-wages records and other employment records.

Under workplace laws, employers must keep employment records for employees and former employees and provide them to Fair Work inspectors upon request.

Fair Work Ombudsman Executive Director Michael Campbell says the decision to prosecute Mr Farnhill was made because of the seriousness of the breaches and his alleged failure to rectify the matter.

The Fair Work Ombudsman claims Mr Farnhill has committed multiple breaches of workplace relations laws. The maximum penalty per breach is \$6600.

The Fair Work Ombudsman promotes harmonious, productive and co-operative workplaces. It also monitors compliance and investigates breaches of national workplace laws.

Employers or employees seeking assistance should contact the Fair Work Infoline on 13 13 94 or visit [www.fwo.gov.au](http://www.fwo.gov.au). For translations call 13 14 50.

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## Contact us

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

Fair Work Infoline: 13 13 94

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Contact the Translating and Interpreting Service (TIS) on 13 14 50

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Call through the National Relay Service (NRS):

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

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