

12 Eyre Peninsula workers were underpaid without knowing it ... now they will share \$48,000 in back-pay

19 January 2010

Twelve workers at a business on South Australia's Eyre Peninsula have received a surprise bonus in their pay packets.

The employees had been inadvertently underpaid, but did not know it.

The discovery was made when the Fair Work Ombudsman randomly audited the employer and found the company had been accidentally short-changing its staff.

Fair Work inspectors found the company had misinterpreted the relevant Award and was not paying the appropriate penalty rates.

As a result, the workers have been reimbursed more than \$48,000 – an average of \$4000 each.

Fair Work Ombudsman Executive Director Michael Campbell says because the employer has co-operated and voluntarily rectified the issue, it will face no further action.

However Mr Campbell says the company has been encouraged to regularly check it has the most up-to-date information on wages and conditions for its workforce.

Employers and employees alike can contact the Fair Work Infoline on 13 13 94 for assistance or visit the website at www.fwo.gov.au.

Mr Campbell says the Agency places great importance on educating and assisting workers and their bosses to understand their respective workplace rights and obligations.

"Most of the \$70 million we have recovered for 54,000 workers throughout Australia over the past two years was recouped without resorting to litigation," he said.

"In most cases, we do not prosecute for accidental breaches of workplace law, but if an employer refuses to co-operate or the breach is serious, then legal action is always an option and the maximum penalty per contravention is \$33,000."

Last financial year, SA inspectors recovered more than \$2 million for 1015 workers in the State who had been underpaid.

The Fair Work Ombudsman has a range of user-friendly resources on its website to assist employers and employees alike, including an explanation of the new National Employment Standards, Modern Awards and an overview of State referrals for employers new to the national workplace relations system.

Earlier this month, the Fair Work Ombudsman announced it would make 5000 educational visits to small to medium size businesses in SA this year to assist them to better understand, comply with and maximise the benefits of Australia's new Fair Work legislation.

Media inquiries:

Craig Bildstien, Director Media & Stakeholder Relations,
0419 818 484
craig.bildstien@fwo.gov.au

Ryan Pedler, Media & Stakeholder Relations Senior Adviser
(03) 9954 2561, 0434 365 924
ryan.pedler@fwo.gov.au

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

The Fair Work Ombudsman is committed to providing advice that you can rely on. The information contained on this website is general in nature. If you are unsure about how it applies to your situation you can call our Infoline on 13 13 94 or speak with a union, industry association or workplace relations professional. Visitors are warned that this site may inadvertently contain names or pictures of Aboriginal and Torres Strait Islander people who have recently died.