

Lockyer Valley farm allegedly underpaid seven Japanese workers \$28,000

27 January 2010

The Fair Work Ombudsman has launched a prosecution against a Lockyer Valley business and two of its directors for allegedly underpaying seven Japanese fruit and vegetable pickers more than \$28,000.

Facing court is Nu Life Organic Farms Pty Ltd, which formerly operated a cucumber farm at Grantham.

The Agency is also prosecuting Nu Life Directors Trevor John Bell and Peter John Hill, both of Mt Gravatt, who were involved in running the Grantham farm.

Documents lodged in the Federal Magistrate's Court in Brisbane allege Nu Life underpaid seven Japanese nationals a total of \$28,028 between May and September, 2008.

The non-English speaking employees were in Australia on working holiday visas and were employed as casual workers.

The Fair Work Ombudsman claims the workers were paid about \$8.50 an hour but should have received almost \$17.

The alleged underpayments of individual workers range from \$1494 to \$5015.

It is also alleged Nu Life failed to keep proper employment records and breached its obligations to pay the workers at least fortnightly.

Fair Work Ombudsman Queensland Director Julie Wade says the decision to prosecute was made because of the significant amount involved for vulnerable workers and the employer's failure to rectify the matter.

"Underpaying international workers is a very serious matter," Ms Wade said.

Nu Life, Mr Bell and Mr Hill allegedly committed multiple breaches of workplace laws.

The maximum penalty per breach is \$33,000 for Nu Life and \$6600 for Mr Bell and Mr Hill for the alleged underpayment contraventions - and \$5500 for Nu Life and \$1100 for Mr Bell and Mr Hill for the alleged record contraventions.

The case is listed for a directions hearing on February 4.

Employers or employees seeking assistance should contact the Fair Work Infoline on 13 13 94 or visit www.fwo.gov.au. For translations call 13 14 50.

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