

## Workers in Sydney's inner suburbs reimbursed \$168,000 after being underpaid

8 June 2010

The Fair Work Ombudsman has recovered \$168,000 for workers in Sydney's inner suburbs as a result of recent investigations.

The biggest recovery was \$64,400 for a Surry Hills sales manager who was underpaid his notice of termination and accrued annual leave entitlements.

After Fair Work inspectors contacted the company, the worker was promptly paid the money he was owed without the need for action against the company.

In a separate case, a Marrickville journalist has been back-paid \$14,400 after being underpaid the minimum hourly rate.

Similarly, the employer rectified the issue after being contacted by Fair Work inspectors.

The underpayments were discovered 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 and failure to pay full entitlements to workers upon termination of their employment.

Other recoveries include:

- \$14,400 for a City worker underpaid annual leave entitlements on termination of employment,
- \$14,300 for a City director underpaid annual leave entitlements,
- \$10,000 for a Darling Harbour cook underpaid wages and annual leave,
- \$8700 for a City worker underpaid annual leave entitlements,
- \$8700 for a Darlinghurst building supervisor underpaid redundancy entitlements,
- \$7800 for a Chippendale worker underpaid redundancy entitlements,
- \$7500 for a Surry Hills shop assistant underpaid the minimum hourly rate, penalty rates for overtime, annual leave and annual leave loading,
- \$7000 for a City worker in the recruitment industry underpaid annual leave and notice of termination,
- \$6500 for a corporate services worker in the City underpaid redundancy entitlements, and
- \$5200 for an Alexandria training manager underpaid annual leave entitlements.

Fair Work Ombudsman NSW Director Mark Davidson says most of the underpayments were the result of a lack of understanding by employers of their legal obligations, including wages and entitlements.

"That's why the Fair Work Ombudsman places such a strong focus on educating employers and assisting them to understand and comply with workplace laws," Mr Davidson said.

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

"We have a flexible, fair approach and our preference is always to work with employers to educate them and help them voluntarily rectify any non-compliance issues we identify," he said.

Mr Davidson says these cases highlight the importance of employers and workers alike contacting the Fair Work Infoline or visiting [www.fwo.gov.au](http://www.fwo.gov.au) to ensure they have the most up-to-date information on wage rates, conditions and redundancy entitlements.

The Fair Work Infoline - 13 13 94 - is open from 8am to 6pm Monday to Friday for employers or workers seeking advice or assistance. Translations are available by calling 13 14 50.

The Fair Work Ombudsman has a range of user-friendly resources to assist employers and workers, 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.

In addition to these resources, the Fair Work Ombudsman will this year make 10,000 educational visits to small to medium sized

business in NSW entering the national workplace relations system.

NOTE: We are unable to identify individual businesses or provide additional information about the cases listed.

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