

\$141,000 recovered for underpaid workers in Sydney's northern suburbs

10 June 2010

A number of workers in Sydney's northern suburbs have been reimbursed more than \$141,000 after recent investigations by the Fair Work Ombudsman found they were underpaid.

The biggest recovery was \$60,000 for two senior managers in Lane Cove who were underpaid their annual leave entitlements.

After Fair Work inspectors contacted the company, the workers were back-paid \$33,800 and \$26,200 respectively.

In a separate case, a St Leonards warehouse supervisor has been reimbursed \$15,500 after he was underpaid redundancy entitlements.

And in North Sydney, a security guard has been back-paid \$12,900 after he was underpaid the minimum hourly rate and penalty rates.

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

Common non-compliance issues encountered by inspectors in the northern suburbs include underpayment of workers' minimum hourly rates, penalty rates, unauthorised deductions from wages, workers not paid for all hours worked and failure to pay full entitlements to workers on termination of their employment.

Other recoveries include:

- \$10,600 for a St Leonards delivery driver underpaid the minimum hourly rate, penalty rates and allowances,
- \$9200 for a Hornsby salesman underpaid redundancy entitlements,
- \$6400 for a Dee Why real estate agent underpaid redundancy entitlements,
- \$5800 for a North Sydney IT consultant not paid for all hours worked and not paid his correct annual leave entitlements,
- \$5500 for a Meadowbank cook underpaid the minimum hourly rate, penalty rates and not paid for all hours worked,
- \$5500 for a business manager in St Leonards underpaid wages,
- \$5400 for a Collaroy worker underpaid wages,
- \$5400 for a medical professional in Chatswood not paid for all hours worked, annual leave entitlements and expenses,
- \$5200 for a Castle Hill education professional who had wages withheld,
- \$5000 for a Manly manager who had unauthorised deductions from his wages, and
- \$800 for a Castle Hill apprentice underpaid wages.

Fair Work Ombudsman NSW Director Mark Davidson says the recoveries highlight the need for employers to understand their obligations to staff, including applicable wage rates and conditions.

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

"We place a strong focus on educating and assisting employers to understand and comply with workplace laws," Mr Davidson said.

"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.

"However, employers must be aware that it is their responsibility to ensure they pay staff correctly."

The Fair Work Ombudsman has a number of tools on its website - www.fwo.gov.au - to assist employees and employers to check minimum rates of pay, including Paycheck and PayrollCheck.

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.

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.

This year, the Fair Work Ombudsman will make 10,000 educational visits in NSW to provide resources and advice to employers about practical steps they can take to adjust to the new national workplace relations system.

Note – we are unable to provide additional information on the cases listed above.

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