

## NSW company fined over underpayments

16 June 2010

A NSW security contracting company and its director have been fined \$6800 for underpaying two workers following a prosecution by the Fair Work Ombudsman.

Essendene Security Pty Ltd, based in Nelson Bay, has been fined \$6000 and the company's manager and sole director John Richard Ryan, of Mallabula, has been fined \$800.

The Federal Magistrates Court in Sydney imposed the penalties after Essendene underpaid two security officers a total of \$23,270.

The Court also instructed the company to back-pay more than \$8000 still owing to its former employees.

Essendene, which is no longer trading, employed the security officers in 2007-2008 to provide services to various organisations on the Central Coast.

The underpayments arose as a result of its workplace agreements failing the Fairness Test.

Fair Work Ombudsman NSW Director Mark Davidson says it is important that employers understand and comply with their legal obligations to employees.

The Fair Work Ombudsman has a number of tools on its website - [www.fwo.gov.au](http://www.fwo.gov.au) - to assist employees and employers to check minimum rates of pay, including Paycheck.

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

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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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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

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