

## Former Brisbane café owner fined almost \$20,000 over worker underpayments

18 June 2010

The former owner of a Brisbane restaurant has been fined \$19,800 over the underpayment of two workers.

The Federal Magistrate's Court in Brisbane has imposed the penalty against Erick Berges, who was the sole owner and a manager of the Picasso Pizza and Pasta restaurant on Albert Street before it closed last year.

The decision follows a prosecution by the Fair Work Ombudsman after it discovered two employees at the restaurant had been underpaid almost \$15,000.

The Court ordered that part of the penalty be reimbursed to the two former workers - \$10,793 to a kitchen hand and \$4073 to a cook.

The kitchen hand, who was employed on a casual basis, was paid a flat rate of just \$10 an hour, resulting in underpayment of his minimum hourly rate, casual loading, night rates and public holiday rates.

The cook, also employed on a casual basis, was short-changed as a result of his minimum hourly rate, casual loading and overtime being underpaid.

Fair Work Ombudsman Executive Director Michael Campbell says that paying employees below their minimum entitlement and then refusing to rectify the issue when requested to do so is a contravention his Agency takes very seriously.

"Individual hand-shake agreements to pay workers below Award rates are a recipe for disaster and employers should think again before trying it," Mr Campbell said.

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 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.

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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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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

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