

\$21,000 back-pay for Cairns restaurant staff

30 June 2010

Twelve workers at a restaurant in Cairns, Queensland, have been reimbursed almost \$21,000 after a recent investigation by the Fair Work Ombudsman found they were being underpaid.

After looking into a complaint, Fair Work inspectors found the restaurant staff had been underpaid their overtime, public holiday and late night rates of pay and annual leave entitlements.

When inspectors informed the restaurant owner, a repayment plan was agreed upon to allow the employer to fully back-pay workers in a number of instalments.

In a separate case, a Cairns motel worker has been back-paid \$5700 after he was underpaid his minimum hourly rate, penalty rates and allowances over a period of six years.

Similarly, the employer back-paid the staff member after the motel was apprised of the underpayments and its lawful obligations.

Fair Work Ombudsman Executive Director Michael Campbell says that given the employers co-operated and voluntarily rectified the matters, there will be no further action against either company.

"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.

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

Mr Campbell says the Fair Work Ombudsman has a range of user-friendly resources Online at www.fwo.gov.au to assist employers understand workplace laws and operate their workplace at best practice.

"Employers need to be fully aware of the provisions in their Award which affect their workers," he said.

Online materials to assist employers include payslip and record-keeping templates, self-audit checklists and fact sheets – and two new tools to assist employers and employees check minimum wage rates, PayCheck and Payroll Check.

As well, the Fair Work Ombudsman has advisers available to speak with employers and workers with questions on its Fair Work Infoline on 13 13 94 from 8am-6pm weekdays.

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Fair Work Online: 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

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