

Fifteen truck drivers reimbursed \$133,000 after Fair Work Ombudsman investigation

2 March 2010

Fifteen truck drivers in Central Victoria are being reimbursed more than \$133,000 after an investigation by the Fair Work Ombudsman found they were underpaid.

The long distance drivers – all from the one company – complained to the Fair Work Ombudsman that they were not being paid their minimum entitlements.

Fair Work inspectors found the drivers had been underpaid their minimum rates of pay per kilometre travelled, public holiday entitlements, loading and unloading allowances plus annual leave loading.

After inspectors contacted the employer, he agreed to voluntarily back-pay the drivers without the need for further action against the company.

Fair Work Ombudsman Executive Director Michael Campbell says the underpayments were inadvertent and resulted from the employer's lack of understanding of his responsibilities under the relevant award.

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

"The Fair Work Ombudsman can assist employers to better understand and comply with workplace laws."

Mr Campbell says in most cases, the Agency does not prosecute employers for accidental contraventions.

"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 need be aware that they can face fines of up to \$33,000 per breach if we do take matters to court."

Mr Campbell says that employers and workers alike should ensure that they are aware of their entitlements by seeking up-to-date information on wage rates and conditions by visiting www.fwo.gov.au or contacting the Fair Work Infoline on 13 13 94. Translations are available by calling 13 14 50.

The Fair Work Ombudsman has a range of user-friendly resources which can help employers and workers to understand their rights and obligations under the new National Employment Standards and Modern Awards, which took effect on January 1.

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

Fair Work Infoline: 13 13 94

Need language help?

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

The Fair Work Ombudsman is committed to providing advice that you can rely on. The information contained on this website is general in nature. If you are unsure about how it applies to your situation you can call our Infoline on 13 13 94 or speak with a union, industry association or workplace relations professional. Visitors are warned that this site may inadvertently contain names or pictures of Aboriginal and Torres Strait Islander people who have recently died.