

Brisbane company faces court over alleged underpayments and sham contracting

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The Fair Work Ombudsman has launched a prosecution against a Brisbane company and its director for allegedly underpaying more than 100 call centre workers a total of \$46,000 and engaging in sham contracting.

Facing court is Contracting Plus Pty Ltd, which allegedly employed Brisbane CBD-based telemarketers to sell electricity services for its clients.

The Fair Work Ombudsman is also prosecuting Contracting Plus manager and sole director Randall David Rowe.

Documents lodged in the Federal Magistrates Court in Brisbane allege Mr Rowe was involved in Contracting Plus underpaying 116 employees a total of \$46,000 between 2006 and 2008 by underpaying the minimum hourly rate.

Mr Rowe was allegedly involved in Contracting Plus breaching sham contracting provisions of workplace laws by classifying the employees as 'independent contractors' when their correct classification was as 'employees'.

It is alleged Mr Rowe was also involved in Contracting Plus failing to keep employment records and failing to issue payslips in line with workplace laws.

Fair Work Ombudsman Queensland Director Julie Wade says the decision to prosecute Contracting Plus and Mr Rowe was made because of the seriousness of the alleged breaches and the employer's failure to rectify the matter.

The Fair Work Ombudsman alleges Contracting Plus and Mr Rowe committed several breaches of workplace relations laws.

The maximum penalty per breach is \$33,000 for the company and \$6600 for Mr Rowe for the underpayment and sham contracting matters and \$5500 for the company and \$1100 for Mr Rowe for the employment record and payslip matters.

The Agency is also seeking Court Orders for Contracting Plus to back-pay the workers the money they were allegedly underpaid. The case is listed for a directions hearing on April 14.

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

Employers or employees seeking assistance should contact the Fair Work Infoline on 13 13 94 or visit www.fwo.gov.au. For translations call 13 14 50.

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Contact us

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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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