

## **\$41,600 back-pay for 155 staff at Durty Nelly's Irish Pub in Perth**

14 November 2010

The operator of Durty Nelly's Irish Pub in Shafto Lane, Perth, has reimbursed 155 of its employees a total of \$41,689 following an investigation by the Fair Work Ombudsman.

The staff - food and beverage attendants, kitchen attendants, cooks, guest service officers and store hands - were underpaid between January 2008 and January 2009.

The largest underpayment of an individual employee was \$1452.

Staff were underpaid the minimum hourly rate, penalty rates and uniform and laundering allowances as a result of errors made by the company's accountant when it outsourced its payroll functions.

Some staff also had unlawful deductions made from their wages for cash register discrepancies, uniform bonds and failure to return name badges.

Fair Work inspectors discovered the contraventions during a random audit.

Kingrise Corporation Pty Ltd has voluntarily repaid all money owing and entered into an Enforceable Undertaking with the Fair Work Ombudsman, promising that it will ensure future compliance with the Fair Work Act.

As part of the Enforceable Undertaking, a measure being used by the Fair Work Ombudsman as an alternative to litigation, Kingrise has agreed to:

- Write to all affected current and former staff apologising for the error and giving a commitment to employees to ensure it meets all its obligations in future,
- Pay for key personnel, including the company director, manager and payroll service provider to undertake formal training on workplace laws, and
- Allow the Australian Hotels Association (WA branch) to conduct an audit of its employment records within 90 days to ensure its full compliance - results of which are to be provided to the Fair Work Ombudsman.

Fair Work Ombudsman Executive Director Michael Campbell says Enforceable Undertakings are a mechanism by which the Agency can still achieve strong outcomes against companies which breach workplace laws without costly civil penalty proceedings.

The Fair Work Ombudsman has a number of tools and resources on its website - [www.fairwork.gov.au](http://www.fairwork.gov.au) - to assist employers and employees alike to understand their respective workplace rights and obligations, or people can call 13 13 94 from 8am-6pm weekdays.

Read more: [Enforceable undertakings \(www.fairwork.gov.au/About-us/Our-role/enforcing-the-legislation/Enforceable-undertakings/default\)](http://www.fairwork.gov.au/About-us/Our-role/enforcing-the-legislation/Enforceable-undertakings/default)

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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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For TTY: 13 36 77. Ask for the Fair Work Infoline 13 13 94

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