

Fair Work Ombudsman recoups \$137,000 back-pay for Adelaide workers

29 November 2010

An Adelaide salesperson has been back-paid more than \$19,300 after an investigation by the Fair Work Ombudsman found she was underpaid.

Fair Work inspectors investigated the woman's employer as part of a routine audit and found she had been underpaid the minimum hourly rate.

After being advised of the error, the employer promptly reimbursed the Para Hills employee without the need for further action against the company.

In a separate case, two Adelaide engineering workers have been reimbursed more than \$19,600 after they were underpaid wages, accrued annual leave and payment in lieu of notice.

Similarly, the employer rectified the issue immediately after being contacted by Fair Work inspectors.

The recoveries are among a number of cases finalised recently on behalf of workers in the Adelaide CBD and surrounding suburbs.

Common issues of non-compliance encountered by inspectors include underpayment of hourly, overtime and penalty rates, workers not being paid for all hours worked and underpayment of annual leave, long service leave and severance pay upon termination of employment.

Other recent recoveries include:

- \$15,800 for three Salisbury food and beverage assistants underpaid their severance entitlements,
- \$10,500 for a Melrose Park sales manager underpaid severance pay,
- \$10,100 for an Ascot Park transport worker underpaid overtime and penalty rates,
- \$8300 for seven Norwood convenience store workers underpaid hourly and penalty rates,
- \$8200 for a Happy Valley fast-food worker underpaid annual leave, outstanding wages and notice of termination,
- \$7600 for an Adelaide clerical worker underpaid severance pay,
- \$7400 for a Hindmarsh painter not paid for all hours worked, annual leave entitlements and long service leave,
- \$7200 for seven Ashton fruit packers underpaid their minimum hourly rate,
- \$6800 for Kensington Park retail store manager underpaid overtime allowances,
- \$5500 for an international student working in the hospitality industry in the CBD underpaid wages and penalty rates,
- \$5300 for a young Beverley construction worker underpaid the minimum hourly rate,
- \$4200 for a junior engineering assistant at Ingle Farm underpaid the minimum hourly rate, and
- \$1200 for a child care worker in Sturt underpaid the minimum hourly rate.

Fair Work Ombudsman Executive Director Michael Campbell says the Agency places a strong focus on educating and assisting employers to understand and comply with workplace laws.

"We have a flexible, fair approach and our preference is always to work with employers to help them voluntarily rectify any non-compliance issues we identify," he said.

"We are very serious about our job of building knowledge and creating fairer workplaces and we are strongly focused on ensuring the community understands its workplace rights and obligations.

"The best advice I can give to business operators is to get the basics right and everything else should start to fall into place.

"By the basics, I mean knowing what Award applies to your employees, the correct classifications and pay rates."

The Fair Work Ombudsman has a number of tools on its website - www.fairwork.gov.au - to assist employees and employers to check minimum rates of pay.

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.

The 'Industries' section on the Fair Work Ombudsman's website provides information specifically tailored for employers and workers in the retail, cleaning, clerical, hair and beauty, security and horticulture industries.

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

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

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