

## Melbourne retailer faces court over alleged underpayment of workers

18 April 2011

The Fair Work Ombudsman has launched a prosecution against the former operator of Melbourne shoe retailing stores for allegedly underpaying four workers more than \$16,000.

Facing court is the Henna Group Pty Ltd, which formerly operated 'Scarpe Shoes' stores at Docklands, Chadstone and Fountain Gate and a warehouse in Hallam.

Also facing court is Henna Group manager Sahil Rasul, of Endeavour Hills, and the company's sole director and owner Bulbula Amin, also of Endeavour Hills.

Documents lodged in the Federal Magistrates Court in Melbourne allege Mr Rasul and Mrs Amin were involved in Henna Group underpaying four employees a total of \$16,036.

The employees, three store managers and a sales assistant, were allegedly paid flat rates when they were each employed for several months at various times between April, 2009 and June, 2010.

This allegedly resulted in the employees being underpaid their minimum hourly rates and overtime, weekend and public holiday rates. They were allegedly also not paid for some hours worked, accrued annual leave entitlements, personal/carer's leave entitlements and pay-in-lieu-of-notice.

The Fair Work Ombudsman claims that at times the employees did not get meal breaks or pay slips and received their wages on an irregular basis. The alleged individual underpayments are \$5458, \$4788, \$3796 and \$1994.

Fair Work Ombudsman Executive Director Michael Campbell says the decision to launch the prosecution was made because of the significant amount involved and the employer's failure to fully rectify the matter.

The Fair Work Ombudsman alleges Mr Rasul and Mrs Amin were involved in Henna Group committing multiple breaches of workplace laws.

Mr Rasul and Mrs Amin face maximum penalties of \$6600 per breach and Henna Group faces maximum penalties of \$33,000 per breach.

The Fair Work Ombudsman is also seeking a Court Order for back-payment of the amounts allegedly owed. A directions hearing is listed for June 15.

Employers or employees seeking assistance should contact the Fair Work Infoline on 13 13 94 or visit [www.fairwork.gov.au](http://www.fairwork.gov.au). An interpreter service is available on 13 14 50.

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## Contact us

Fair Work Online: [www.fairwork.gov.au](http://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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