

Melbourne company faces court over alleged underpayment of workers

8 February 2011

The Fair Work Ombudsman has launched a prosecution against the operator of a Melbourne business for allegedly underpaying three workers more than \$8000.

Facing court is Sebastian Boi and the company he owns and manages, Promoting U Pty Ltd, based in Epping.

Promoting U operates a business engaged in designing and preparing materials such as business cards, signs and uniforms for clients.

Documents lodged in the Federal Magistrates Court in Melbourne allege Mr Boi was centrally involved in his company underpaying three employees \$8011.

The employees were allegedly underpaid the minimum hourly rate when they worked for Promoting U as graphic designers for periods of one to five months between 2007 and 2009.

The Fair Work Ombudsman also claims the workers were paid late or not at all for some hours worked and that two were underpaid accrued annual leave entitlements when they ceased working for the business.

The alleged underpayments are \$5479, \$1998 and \$534.

Mr Boi was allegedly involved in further breaches of workplace law by failing to keep proper employment records and issue pay slips.

Fair Work Ombudsman Executive Director Michael Campbell says the employer's failure to rectify the alleged underpayments was a key factor in the Agency's decision to initiate court action.

The Fair Work Ombudsman alleges Mr Boi and Promoting U committed four underpayment-related breaches and four record-keeping/pay slip-related breaches of workplace laws.

Mr Boi faces maximum potential penalties per breach of \$6600 for the underpayment matters and \$1100 for the record-keeping/pay slip matters.

Promoting U faces maximum penalties per breach of \$33,000 for the underpayment matters and \$5500 for the record-keeping/pay slip matters.

The case is listed for a directions hearing on February 14.

Employers or employees seeking assistance should contact the Fair Work Infoline on 13 13 94 or visit www.fairwork.gov.au. 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

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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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