

## \$135,000 back-pay recovered for underpaid workers in Perth

14 January 2011

A number of Perth workers have been back-paid \$135,300 as a result of recent intervention by the Fair Work Ombudsman.

The biggest recovery was \$50,000 for a City-based exploration manager who was not paid accrued annual leave.

After inspectors contacted the employer and explained its obligations, the worker was back-paid in full.

In another case, four Herdsman cleaners were back-paid \$25,500 after they were not paid redundancy entitlements or wages in lieu of notice.

And a Floreat administration worker was underpaid \$21,300 after she was not paid annual leave entitlements, sick leave and public holiday entitlements.

Similarly, after Fair Work inspectors contacted the employers and explained their obligations, the workers were fully reimbursed.

The underpayments were discovered through a combination of routine audits and investigations into complaints from workers.

Common issues of non-compliance encountered by inspectors included underpayment of workers' minimum hourly rates, penalty rates, sick leave and failure to pay full entitlements to workers upon termination of their employment.

Other recent recoveries include:

- \$13,500 for a Victoria Park salesman underpaid long service leave,
- \$7600 for a Murdoch restaurant manager not paid wages in lieu of notice or severance pay,
- \$6700 for a Jandakot pilot underpaid the minimum hourly rate and annual leave entitlements,
- \$5700 for a Maddington administration worker not paid annual leave entitlements on termination, and
- \$5000 for an Osborne Park supervisor not paid wages in lieu of notice.

Fair Work Ombudsman Executive Director Michael Campbell says that given the employers co-operated with inspectors and voluntarily rectified the matters, there will be no further action against the companies involved.

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

"Employers need to regularly review their Award or agreement to ensure they are fully aware of their obligations to their workers."

Mr Campbell says in most cases, the Fair Work Ombudsman does not prosecute employers for inadvertent breaches of workplace laws.

"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," he said.

The Fair Work Ombudsman has a number of tools on its website - [www.fairwork.gov.au](http://www.fairwork.gov.au) - to assist employees and employers to check minimum rates of pay.

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.

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.

Online resources also include payslip and record-keeping templates, a self-audit checklist and fact sheets.

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.

Note: We are unable to provide additional information on the cases listed above.

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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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