

## Canberra workers back-paid \$65,000

16 January 2011

A number of workers in and around Canberra have been reimbursed more than \$65,100 after the Fair Work Ombudsman found they were being underpaid.

The biggest recovery was \$15,000 for a Woden hairdresser who was underpaid penalty rates and allowances.

After Fair Work inspectors contacted the salon and explained its obligations, the hairdresser received all outstanding entitlements without the need for further action against the employer.

In another recent case, a Fyshwick cashier has been back-paid \$9900 after she was underpaid the minimum hourly rate.

And a Manuka real estate agent was back-paid \$9100 after she was underpaid the minimum hourly rate and not paid her annual leave entitlements.

Similarly, after inspectors contacted the employers and explained their obligations, each of the workers was back-paid.

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

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

Other recent recoveries include:

- \$8000 for a Tuggeranong manager underpaid annual leave and long service leave,
- \$6200 for a Canberra cleaner underpaid the minimum hourly rate and annual leave entitlements,
- \$6200 for a Belconnen office worker underpaid annual leave and long service leave,
- \$5700 for a Goulburn apprentice underpaid the minimum hourly rate and not paid wages, and
- \$5000 for a Canberra draftsperson underpaid severance entitlements.

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

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

"We have a flexible, fair approach and our preference is always to work with employers to educate them and help them voluntarily 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."

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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