

Adelaide cafe faces court over alleged \$50,000 underpayment of wages

4 July 2011

The Fair Work Ombudsman has launched a prosecution against the operators of an Adelaide cafe for allegedly underpaying staff more than \$50,000.

Facing court is True Blue (SA) Pty Ltd, which operates the Jamaica Blue cafe at the West Lakes Mall.

Also facing court is True Blue (SA) Pty Ltd director Filomeno Rillotta, of Mount Barker, who is a manager and part-owner of the cafe.

Documents lodged in the Federal Magistrates Court in Adelaide allege Mr Rillotta was centrally involved in underpaying 37 casual employees a total of \$50,515 between December, 2006 and October, 2010.

The employees, including many juniors aged under 21, were allegedly paid below the minimum casual rate they were entitled. The biggest alleged underpayment of an individual worker is \$7287.

Fair Work inspectors discovered the alleged underpayments when they investigated complaints lodged by employees.

It is alleged Mr Rillotta was involved in further contraventions by failing to keep sufficiently detailed employment records.


True Blue (SA) Pty Ltd allegedly also breached workplace laws by failing to comply with a Notice to Produce employment documents.

Fair Work Ombudsman Nicholas Wilson says the decision to prosecute was made because of the significant amount involved and the employer's failure to rectify the matter.

Mr Rillotta and True Blue (SA) Pty Ltd allegedly committed several breaches of workplace laws. Mr Rillotta faces maximum penalties of up to \$6600 per breach and the company faces maximum penalties of up to \$33,000 per breach.

The Fair Work Ombudsman is also seeking a Court Order for the company to rectify the alleged underpayments.

Employers or employees seeking assistance should contact the Fair Work Infoline on 13 13 94 or visit www.fairwork.gov.au. A free interpreter service is available on 13 14 50.

Keep up to date with the Fair Work Ombudsman and updates on Australia's workplace relations laws through [Twitter @fair-work_gov_au](https://twitter.com/fair-work_gov_au)  (http://twitter.com/fairwork_gov_au).

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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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