

Court action over alleged underpayment of workers at Melbourne take-away food outlets

18 July 2011

The Fair Work Ombudsman has launched prosecutions against the operators of two Melbourne take-away-food outlets over more than \$10,000 in alleged underpayment of two employees.

Facing court are FDD Management Pty Ltd and Turbo Cafe Point Cook Pty Ltd, which operate Turbo Cafe outlets at the Watergardens shopping centre in Taylors Lakes and the Point Cook Town Centre shopping complex, respectively.

Also facing court is Essendon man Domenic Versace, who is a director of the two companies and a manager of the two Turbo Cafe outlets.

Documents lodged in the Federal Magistrates Court in Melbourne allege Mr Versace was involved in FDD Management Pty Ltd and Turbo Cafe Point Cook Pty Ltd underpaying two Turbo Cafe staff a total of \$10,865.

It is alleged a full time counter-hand at the Taylors Lakes outlet was underpaid \$6093 and a casual waitress at the Point Cook outlet was underpaid \$4772 between November, 2008 and August, 2010.

The employees, now aged in their early 20s, were allegedly paid flat hourly rates below the minimum hourly rates they were entitled to. The Point Cook employee was allegedly also underpaid annual leave and overtime pay.

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

Fair Work Ombudsman Nicholas Wilson says the decision to launch a prosecution was made because of the significant amounts involved and the employer's failure to rectify the matter.

Mr Versace, FDD Management Pty Ltd and Turbo Cafe Point Cook Pty Ltd were allegedly involved in several breaches of workplace laws.

Mr Versace faces maximum penalties of \$6600 per breach and the companies face maximum penalties of \$33,000 per breach. A directions hearing is scheduled for July 22.

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.

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Media inquiries:

Ryan Pedler, Senior Adviser, Media & Stakeholder Relations
(03) 9954 2561, 0411 430 902
ryan.pedler@fwo.gov.au

Page reference No: 4760

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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