

## Fair Work Ombudsman secures almost \$90,000 back-pay for Tasmanian hospitality workers

1 June 2011

The former operators of two Tasmanian taverns have back-paid 45 workers almost \$90,000 after an investigation by the Fair Work Ombudsman.

Hobart men Michael David Hibberd and Gregory Laurence Prescott have back-paid 24 former employees of the Granada Tavern in Berriedale a total of \$32,894 and 21 former employees of the Foreshore Tavern in Lauderdale a total of \$55,103.

Hibberd and Prescott formerly operated the Foreshore Tavern and a company they jointly owned operated the Granada tavern. They no longer have an interest in either.

The Fair Work Ombudsman has previously prosecuted Hibberd and Prescott.

In August, 2008, Hibberd and Prescott were each fined \$4800 by the Federal Magistrates Court over a \$38,000 underpayment of 31 staff at the Club Hotel in Glenorchy.

As an alternative to further litigation, the two men have entered into an Enforceable Undertaking with the Fair Work Ombudsman and agreed to:

- Take-out a newspaper advertisement apologising to the underpaid workers,
- Fund the distribution of workplace rights information packs to 250 TAFE hospitality students to the value of \$500,
- Report to the Fair Work Ombudsman on systems they have developed to ensure their businesses comply with workplace laws in future,
- Ensure that a senior management representative participates in workplace relations compliance training,
- Provide the Fair Work Ombudsman with an independent audit report next year confirming their businesses are complying with workplace laws, and
- Report to the Fair Work Ombudsman on their attempts to find underpaid workers who have not yet been located.

Fair Work Ombudsman Executive Director Michael Campbell says the Agency is trying to locate several former employees of the Granada Tavern and Foreshore Tavern who have yet to receive their outstanding entitlements.

Granada and Foreshore employees were underpaid penalty rates, casual loadings, overtime and annual leave entitlements between 2004 and 2006.

The underpayments came to light after the Fair Work Ombudsman investigated complaints from workers.

Former employees of these taverns who may have been underpaid should call the Fair Work Infoline on 13 13 94 to check if the Agency is holding funds for them.

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

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

An '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, hospitality, fast food 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.

Employers or employees seeking assistance or further information can also contact the Fair Work Infoline on 13 13 94 from 8am-6pm weekdays.

A free interpreter service is available by calling 13 14 50.

Copy of undertaking: [Hibberd and Prescott Enforceable Undertaking \(PDF 525.9KB\)](http://www.fairwork.gov.au/ArticleDocuments/719/Hi-Hibberd_and_Prescott_Enforceable_Undertaking_(PDF_525.9KB)) ([www.fairwork.gov.au/ArticleDocuments/719/Hi-](http://www.fairwork.gov.au/ArticleDocuments/719/Hi-Hibberd_and_Prescott_Enforceable_Undertaking_(PDF_525.9KB))

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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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