

Phone retailer faces court for alleged discrimination against Geelong employee

1 March 2011

The Fair Work Ombudsman has launched a prosecution against a mobile phone retailer for allegedly discriminating against a Geelong employee when she attempted to return from parental leave.

Facing court is Tiger Telco Pty Ltd, which operates about 21 Mo's Mobiles stores in South Australia and Victoria.

The Agency is also prosecuting Tiger Telco managing director Ibrahim (Abraham) Ramadan, of Preston in Melbourne.

Documents lodged in the Federal Court in Melbourne allege Mr Ramadan was centrally involved in Tiger Telco unlawfully discriminating against an employee when she attempted to return to work after taking unpaid parental leave.

The employee had been employed as the manager of the Mo's Mobile store in Corio for almost two years when she took unpaid parental leave in June, 2009, shortly before she had a baby.

It is alleged that when the employee sought to return to work from parental leave last year, Mr Ramadan refused to allow her to return to the store manager position at Corio.

Mr Ramadan allegedly engaged another worker in the position permanently without consulting the employee and offered the employee, who lives in northern Geelong, manager positions at Mo's Mobiles stores in Watergardens and Airport West, both about one-hour's drive from the employee's home.

The Fair Work Ombudsman claims that after the employee declined the positions because of her family responsibilities and again asked to return to the Corio store, Mr Ramadan made the continuation of her employment conditional on her accepting one of the positions.

The employee's employment with Tiger Telco came to an end a short time later, in June, 2010.

The Fair Work Ombudsman claims the conduct breaches provisions of the Fair Work Act that make it unlawful to discriminate against employees on the grounds of pregnancy and family-and-carer responsibilities.

The conduct also allegedly contravened the requirement under workplace law for employers to allow employees to resume their previous position - or another mutually agreed position - on their return from parental leave.

Fair Work Ombudsman Executive Director Michael Campbell says this is the third prosecution alleging unlawful discrimination since the Agency assumed powers to investigate unlawful workplace discrimination in July, 2009.

The Fair Work Ombudsman alleges Mr Ramadan was involved in Tiger Telco committing six breaches of workplace laws.

Tiger Telco faces potential maximum penalties of \$33,000 per breach and Mr Ramadan faces potential maximum penalties of \$6600 per breach.

The Fair Work Ombudsman is also seeking a Court Order for Tiger Telco to pay compensation to the employee for economic and non-economic loss.

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

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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

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Call through the National Relay Service (NRS):

For TTY: 13 36 77. Ask for the Fair Work Infoline 13 13 94

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