

\$25,500 penalty for underpaying Japanese wedding planners

10 November 2011

A wedding planning company and one of its former managers have been fined a total of \$25,500 for underpaying 14 Japanese nationals.

Austy Pty Ltd, which specialises in organising weddings for Japanese couples wanting to travel to Australia to get married, has been fined \$23,000.

The former manager of Austy's Gold Coast office, Kiyomi Maruoka, a Japanese national who resides on the Gold Coast, has been fined a further \$2500.

The penalties were handed down in the Federal Magistrates Court in Perth following a prosecution by the Fair Work Ombudsman.

Federal Magistrate Kenneth Raphael imposed the fines after Austy admitted underpaying 11 Gold Coast-based employees \$8710 and three Perth-based employees \$7630.

Maruoka admitted being involved in the Gold Coast underpayments.

The underpayments occurred between June, 2006 and February, 2010.

The underpaid employees were Japanese women who were in Australia on student and working holiday visas. Most were aged in their 20s.

The employees were classified as 'trainees' and paid 'trainee wages' despite not being registered with any training organisation.

Several of the employees were paid \$6 an hour for up to 14 weeks before being paid flat rates of \$10 to \$14 an hour.

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

All employees have since been back-paid their full entitlements.

The Fair Work Ombudsman prosecuted Austy and Maruoka after they had previously been advised they were underpaying staff.

"It is clearly not acceptable for businesses to continue breaching employees' workplace rights," Fair Work Ombudsman Nicholas Wilson says.

"Successful prosecutions such as this benefit employers who are complying with workplace laws because it helps them to compete on a level playing field."

The Fair Work Ombudsman has a number of tools and resources on its website - www.fairwork.gov.au - to assist employers to calculate the correct pay for their employees.

In September, the Fair Work Ombudsman launched PayCheck Plus, a new Online tool to assist employers to keep up-to-date with their obligations.

PayCheck Plus calculates minimum rates of pay per hour, per shift or per week and takes account of payments for overtime, penalty rates and allowances.

Employers or employees seeking assistance can also contact the Fair Work Infoline on 13 13 94.

A free interpreter service is available on 13 14 50, and information on the website is translated into 27 different languages.

The Fair Work Ombudsman has also launched 14 Online videos to assist foreign workers understand their workplace rights and entitlements.

The short videos - available at www.youtube.com/fairworkgovau  (<http://www.youtube.com/user/FairWorkGovAu>) - are presented by native speakers of Mandarin, Cantonese, Indonesian, Serbian, Arabic, Dari, Farsi, Khmer, Korean, Spanish, Vietnamese, Thai and Turkish.

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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: 4559

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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