

Melbourne food wholesaler allegedly underpaid employees more than \$300,000

Note: Following the receipt of further information, in January 2014 this claim was revised to a total quantum of \$149,137. The quantum referred to in this media release is no longer current.

22 August 2012

Note: Reference to prosecution in this media release is a general reference to the FWO commencing proceedings for the imposition of civil penalties and should not be taken to be a reference to criminal proceedings.

The Fair Work Ombudsman is prosecuting the operator of a Melbourne food wholesaler for allegedly underpaying 46 employees - including many foreign workers - more than \$300,000.

Facing court is Quality Food World Pty Ltd, which operates a food wholesaling business from a warehouse based at Mordialloc.

Also facing court is the company's production manager Atar Schwartz.

It is alleged that Quality Food World underpaid 46 employees a total of \$316,795 between July, 2007 and March, 2011.

Many of the employees were foreign nationals. They performed work related to the production and packaging of a range of food products.

It is alleged the employees were variously underpaid their minimum hourly rates, casual loadings, public holiday pay, overtime rates and annual leave entitlements.

The biggest alleged underpayment of an individual employee is \$22,358.

Fair Work inspectors first discovered alleged underpayments when they audited Quality Food World in 2011. Workplace laws related to record-keeping were allegedly also breached.

Fair Work Ombudsman Nicholas Wilson says a decision to prosecute was made because of the significant amount involved for many vulnerable workers.

The Fair Work Ombudsman alleges Quality Food World committed multiple breaches of workplace laws and that Mr Schwartz was involved in the breaches.

The company and Mr Schwartz face maximum penalties per breach of up to \$33,000 and \$6600 respectively.

The Fair Work Ombudsman is also seeking a Court Order for Quality Food World to rectify the alleged underpayments of the employees.

A directions hearing is listed for November 5 in the Federal Magistrates Court in Melbourne.

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.

Media inquiries:

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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

The Fair Work Ombudsman is committed to providing advice that you can rely on. The information contained on this website is general in nature. If you are unsure about how it applies to your situation you can call our Infoline on 13 13 94 or speak with a union, industry association or workplace relations professional. Visitors are warned that this site may inadvertently contain names or pictures of Aboriginal and Torres Strait Islander people who have recently died.