

\$20,000 penalty for underpayment of two young apprentice chefs

23 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 former owner-operator of a Queensland delicatessen has been fined \$19,965 for underpaying two young apprentice chefs following an investigation and prosecution by the Fair Work Ombudsman.

The Federal Magistrates Court in Brisbane has imposed the penalty against Christopher Meade Jones, who formerly owned and ran the 'Fed Up Deli' at the corner of Thorn and Limestone streets, Ipswich.

Federal Magistrate Michael Jarrett found Jones' business underpaid two full-time apprentice chefs \$15,007 and \$5471 respectively between October, 2008 and March, 2010.

The staff were underpaid wages and annual leave entitlements.

Federal Magistrate Jarrett ordered that Jones pay his fine to the two apprentices, both males in their 20s, to partially rectify the underpayments.

FM Jarrett said the underpayments represented a disregard for statutory obligations and the loss to the employees was significant.

"The law should mark its disapproval of the conduct and set a penalty which serves as a warning to others," he said.

"Steps must be taken by employers of all sizes to properly ascertain and comply with minimum entitlements.

"Compliance should not be seen as the bastion of the large employer with human resources staff and advisory consultants."

The Fair Work Ombudsman initially commenced proceedings against Jones' private company Fed Up Deli & Catering Pty Ltd, but it went into liquidation earlier this year, preventing the action from continuing.

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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Fair Work Online: www.fairwork.gov.au

Fair Work Infoline: 13 13 94

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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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