

Western Sydney workers back-paid \$210,000

13 February 2012

Workers in Western Sydney have been back-paid a total of \$210,000 following recent intervention by the Fair Work Ombudsman.

The largest recovery was \$27,000 for a fruit packer in the Blacktown area.

The Fair Work Ombudsman randomly audited the business and found that the 42-year-old male employee had been underpaid the minimum hourly rate and overtime penalty rates for 17 months in 2009-10.

After a Fair Work inspector contacted the business and explained its obligations, the employee was promptly reimbursed all money owed without the need for further action against the employer.

Other recent recoveries include:

- \$25,000 for a Quakers Hills receptionist underpaid the minimum hourly rate,
- \$13,800 for 13 Parramatta shop assistants underpaid the minimum hourly rate and penalty rates,
- \$13,600 for two Rooty Hill administration workers underpaid the minimum hourly rate,
- \$11,100 for an international student working in the fast food industry in Parramatta underpaid the minimum hourly rate,
- \$8600 for a cook in Ermington underpaid overtime allowances over a 17-month period,
- \$7900 for a Parramatta customer service worker underpaid wages and not paid for all hours worked and long service leave entitlements,
- \$7700 for a Silverwater supervisor underpaid redundancy entitlements,
- \$7600 for a Homebush manager not paid accrued annual leave entitlements and payment in lieu of notice on termination,
- \$7400 for a Windsor waitress underpaid wages and annual leave entitlements,
- \$7400 for an Arndell Park forklift driver underpaid the minimum hourly rate, overtime and long service leave entitlements,
- \$7300 for nine shop assistants in Penrith underpaid the minimum hourly rate and penalty rates,
- \$7200 for 15 sales assistants in Penrith underpaid long service leave and redundancy entitlements,
- \$7100 for a young medical industry worker in Prospect underpaid the minimum hourly rate, penalties and meal allowances,
- \$6700 for a Riverstone manager not paid wages, annual leave entitlements or wages in lieu of notice,
- \$6100 for a Wentworthville apprentice not paid for all hours worked,
- \$6100 for a Silverwater retail worker not paid penalty rates for 18 months,
- \$5800 for a Granville worker in the education industry underpaid the minimum hourly rate,
- \$5800 for a St Marys sales representative not paid for all hours worked or annual leave entitlements on termination,
- \$5600 for a storeman in Silverwater underpaid the minimum hourly rate,
- \$5100 for a Seven Hills apprentice underpaid the minimum hourly rate,
- \$5100 for a Winmalee storeman underpaid the minimum hourly rate and penalty rates, and
- \$5000 for a Penrith truck driver not paid termination entitlements.

The Fair Work Ombudsman recovered a total of \$8.215 million back-pay for 4182 underpaid workers in NSW last financial year. Nationally, the Agency recouped \$26.7 million for 17,360 employees.

Fair Work Ombudsman Nicholas Wilson says that when Fair Work inspectors identify a problem and contact a business, most employers check their records, realise a problem has occurred, and fix it immediately.

"It's a fact that some businesses inadvertently breach workplace laws. When we find mistakes, we're here to assist and give practical advice to employers on how to voluntarily fix them," says Mr Wilson

"These Western Sydney businesses have now corrected the errors that led to the underpayments and put processes in place to ensure they will not happen again."

Mr Wilson says that the Fair Work Ombudsman's Assisted Voluntary Resolution team is now achieving resolution of about half its referrals with the first month.

Workers or employers seeking support should get in touch with the Fair Work Ombudsman via the website – www.fairwork.gov.au - or call the Fair Work Infoline on 13 13 94. A free interpreter service is available on 13 14 50.

Free documentation is available Online for employers to use when hiring, managing and dismissing staff, including letters of engagement and probation, timesheet and pay slip templates, leave application forms, a self-audit check list and workplace complaint form.

The website has a number of tools and resources, including PayCheck Plus and an Award Finder, to assist business-owners to calculate the correct pay for their employees.

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.

An 'Industries' section on the website provides extra, specialised information for employers and employees in the retail, cleaning, clerical, hair and beauty, security, horticulture, vehicle, fast food and hospitality industries.

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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.