

Melbourne call centre operators fined more than \$30,000 over staff underpayments

14 February 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 operators of a Melbourne call centre have been fined \$31,680 for failing to pay five workers \$3300 in wages.

Following a prosecution by the Fair Work Ombudsman, Melbourne man Mark Vincent Gulifa has been fined \$5280 and the company he formerly owned and operated, Reacta Staffing Solutions Pty Ltd, has been penalised a further \$26,400.

Through Reacta Staffing Solutions, Gulifa conducted a telemarketing business trading as 'Big Mouth Malone' with an outbound sales call centre at Ravenhall.

The Federal Magistrates Court in Melbourne imposed the penalties after finding Gulifa was responsible for Reacta Staffing Solutions failing to pay five casual employees a total of \$3326 in wages.

The employees – four of whom were aged 17 to 21 at the time - each performed between four days and two weeks' work between August, 2009 and March, 2010, but received no pay.

The employees were entitled to receive individual amounts ranging from \$417 to of \$913. They were back-paid only after the Fair Work Ombudsman commenced legal proceedings last year.

Federal Magistrate Daniel O'Dwyer said it was important to impose a penalty that demonstrated to employers of young workers the importance of complying with Australian workplace laws.

"The law should mark its disapproval of the conduct in question and set a penalty which serves as a warning to others," Federal Magistrate O'Dwyer said.

Federal Magistrate O'Dwyer said Gulifa and Reacta Staffing Solutions would "be left in no doubt that underpayment of wages will not be tolerated and this is particularly the case where vulnerable employees are involved".

Fair Work Ombudsman Nicholas Wilson says the Court decision sends a clear message that failing to pay young employees for work they perform is a serious matter.

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Contact us

Fair Work Online: www.fairwork.gov.au

Fair Work Infoline: 13 13 94

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

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