

Staff at Gold Coast pizza outlet allegedly underpaid almost \$20,000

24 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 Fair Work Ombudsman is prosecuting the operator of a Gold Coast pizza shop for allegedly underpaying 27 employees almost \$20,000.

Facing court are Scot Stuart Murphy and his private company VS Investment Group Pty Ltd.

Through his company, Mr Murphy owns and operates Mondo Pizza at Surfers Paradise.

It is alleged the 27 staff were underpaid a total of \$19,093 between December, 2009 and October, 2010.

The employees were aged from 20 to 37 at the time and several were from non-English-speaking backgrounds.

They were variously employed as cooks, kitchen-hands, customer service attendants and delivery drivers.

The employees were allegedly underpaid their minimum hourly rates, overtime rates and weekend penalty rates. One employee was allegedly underpaid evening work allowances.

The largest alleged underpayment of an individual employee is \$2313.

It is alleged Mr Murphy was also involved in his company failing to comply with a Notice to Produce documents issued by Fair Work inspectors during their investigation.

Under the Fair Work Act, employers must comply with requests from the Fair Work Ombudsman to provide employment records relating to employees and former employees.

Fair Work Ombudsman Nicholas Wilson says the decision to prosecute was made because of the involvement of vulnerable workers and the employer's failure to rectify the matter.

The Fair Work Ombudsman alleges Mr Murphy was involved in VS Investment Group committing several breaches of workplace laws. The maximum potential penalty per breach is \$6600 for Mr Murphy and \$33,000 for his company.

The Fair Work Ombudsman is also seeking a Court Order for the company to rectify the alleged underpayment of the employees.

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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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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