

Pizza shop operator faces court for allegedly paying employees just \$9 per hour

25 January 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 will prosecute the operators of an Eagle Boys pizza outlet in regional NSW for allegedly paying its employees just \$9 an hour.

Facing court is Stacborn Pty Ltd, which runs an Eagle Boys franchise at Cessnock.

Court documents allege the company underpaid 17 delivery drivers and two shop assistants a total of \$48,905 between October, 2008 and June, 2010.

Five of the staff were under 18 at the time.

The delivery drivers were allegedly paid a flat rate of just \$9 an hour, but the Fair Work Ombudsman says the juniors should have been paid at least \$12 and the adult workers between \$14 and \$18.

A male employee in his 20s was allegedly underpaid \$11,478.

Fair Work inspectors discovered the alleged underpayments when they investigated a complaint lodged by one of the employees. Only a small portion of the total outstanding amount has been back-paid.

Fair Work Ombudsman Nicholas Wilson says a decision was made to take legal action because the workers were largely young and vulnerable and because of the significant amount involved.

The Fair Work Ombudsman alleges Stacborn Pty Ltd committed several breaches of workplace laws.

The maximum potential penalty per breach is \$33,000.

The Fair Work Ombudsman is also seeking a Court Order for back-payment of the money allegedly still owed to the workers.

The case is listed for a directions hearing on February 14 in the Federal Magistrates Court in Sydney.

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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