

Court action over alleged \$191,000 underpayment of service station workers

5 June 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 has launched a prosecution against a national service station operator, alleging it underpaid over 200 staff more than \$191,000.

Facing court is Freedom Fuels Australia Pty Ltd, a Brisbane-based company which operates service stations in Queensland, Victoria and NSW.

The company allegedly underpaid 234 employees a total of \$191,197 between May, 2006 and July, 2009.

The employees, including a number of juniors aged under 21, worked as casual and part-time console operators.

It is alleged that 169 employees in Queensland - at locations including Brisbane, Toowoomba and Goondiwindi - were underpaid \$112,615.

It is further alleged that 56 employees in Victoria - at locations including Melbourne, Sale, Traralgon, Churchill, Moe and Morwell - were underpaid \$73,905, and nine employees in NSW - at Kingscliff and Moree - were underpaid \$4677.

The employees were allegedly underpaid overtime rates and penalty rates for weekend, shift and public holiday work.

The Fair Work Ombudsman discovered the alleged underpayments when inspectors conducted an investigation into complaints from employees.

Freedom Fuels Australia has commenced back-paying employees and has committed to back-paying all in full, court documents state.

Fair Work Ombudsman Nicholas Wilson says a decision to prosecute was made because of the significant amount involved for vulnerable workers.

The Fair Work Ombudsman alleges Freedom Fuels Australia committed several breaches of workplace laws. The company faces maximum penalties of \$33,000 per breach.

A directions hearing will be held in the Federal Magistrates Court in Brisbane on June 27.

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.

Media inquiries:

Ryan Pedler, Assistant Director, Media & Stakeholder Relations,
(03) 9954 2561, 0411 430 902
ryan.pedler@fwo.gov.au

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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