

## Melbourne rose farm owner fined over underpayment of apprentice

14 June 2012

The owner-operator of a retail flower business in Melbourne has been fined \$11,880 for underpaying a young apprentice.

Gavin Francis Sheehan - who owns and runs Greenvale Rose Farm at Mickleham Road, Attwood - has received the fine in the Federal Magistrates Court in Melbourne.

The fine was imposed after Sheehan admitted underpaying an apprentice horticultural employee \$17,060 between October, 2007 and October, 2009.

Federal Magistrate John O'Sullivan also ordered Sheehan to fully rectify the underpayment. Only a small amount has been rectified to date.

"There is a need for general deterrence and to send a message to the community, and in particular to small employers, that employers must take steps to ensure correct employee entitlements are paid," Federal Magistrate O'Sullivan said.

The apprentice, aged in his early 20s at the time, was paid \$301 to \$383 per week – but was entitled to receive more than \$450 a week for the majority of his employment.

Sheehan also underpaid the apprentice's overtime rates and failed to pay his accrued annual leave entitlements and wages in lieu of notice when he resigned.

Workplace laws relating to keeping employment records and issuing pay slips were also breached.

Fair Work Ombudsman Nicholas Wilson says the Court's decision sends a message that underpayment of young workers is a particularly serious matter.

"Young workers can be vulnerable because they are often not fully aware of their workplace rights and they are often low-paid, which means they feel the effects of being underpaid more acutely," Mr Wilson says.

"This is why we are committed to taking action to protect young workers' rights and why we devote considerable resources to improving young workers' awareness of those rights."

Employers or employees seeking assistance should contact the Fair Work Infoline on 13 13 94 or visit [www.fairwork.gov.au](http://www.fairwork.gov.au). A free interpreter service is available on 13 14 50.

Follow the Fair Work Ombudsman on [Twitter @fairwork\\_gov\\_au](https://twitter.com/fairwork_gov_au) [ⓧ](http://twitter.com/#!/fairwork_gov_au) ([http://twitter.com/#!/fairwork\\_gov\\_au](http://twitter.com/#!/fairwork_gov_au)) or find us on [Facebook](https://www.facebook.com/fairwork.gov.au) [Ⓜ](http://www.facebook.com/fairwork.gov.au) (<http://www.facebook.com/fairwork.gov.au>) .

Media inquiries:

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

Page reference No: 4980

## Contact us

Fair Work Online: [www.fairwork.gov.au](http://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.