

Workers in Melbourne's south and south east back-paid \$174,000

2 March 2012

Workers in Melbourne's south and south-eastern suburbs have been back-paid a total of \$174,200 following recent intervention by the Fair Work Ombudsman.

The largest recovery was \$25,200 for a manager at a Noble Park business.

The 24-year-old male employee lodged a complaint with the Fair Work Ombudsman after he was underpaid penalty rates between June, 2005 and July, 2011.

After a Fair Work inspector contacted the business and explained its obligations, the employee was promptly reimbursed all money owed without the need for further action against the employer.

Other recent recoveries in Melbourne's south and south east include:

- \$15,000 for a sales consultant in Narre Warren underpaid the minimum hourly rate and penalty rates,
- \$14,000 for a Brighton medical professional not paid long service leave entitlements after 18 years of employment,
- \$12,700 for a Keysborough real estate agent underpaid annual leave entitlements,
- \$9900 for a Narre Warren apprentice underpaid overtime penalty rates, travel allowances and annual leave entitlements,
- \$9600 for a Bentleigh shop assistant underpaid the minimum hourly rate,
- \$8700 for a manufacturing worker in Dandenong underpaid wages and annual leave entitlements on termination of employment,
- \$8400 for a Mornington labourer underpaid the minimum hourly rate and overtime penalty rates,
- \$7900 for shop manager in Brighton East underpaid wages, pay in lieu of notice and annual leave entitlements,
- \$7300 for a Dandenong South store worker underpaid the minimum hourly rate,
- \$7100 for a masseur at Oakleigh underpaid the minimum hourly rate, penalty rates, payment in lieu of notice and annual leave entitlements,
- \$7100 for a construction industry worker in Clayton South not paid for all hours worked or annual leave entitlements,
- \$6700 for a Frankston labourer underpaid wages,
- \$6400 for a storage industry worker in Moorabbin underpaid the minimum hourly rate and public holiday penalty rates,
- \$6400 for a Dandenong South factory worker underpaid the minimum hourly rate, allowances, penalty rates and annual leave entitlements,
- \$5900 for a young Botanic Ridge worker underpaid the minimum hourly rate after his employer failed to register his trainee paperwork with the appropriate authority,
- \$5800 for a 16-year-old worker in Frankston underpaid the minimum hourly rate after his employer failed to register his apprentice paperwork with the appropriate authority,
- \$5100 for Clayton retail manager not paid annual leave entitlements on termination of employment, and
- \$5000 for a young Seaford worker underpaid the minimum hourly rate, pay in lieu of notice, annual leave entitlements and not paid for all hours worked after his employer failed to register his apprentice paperwork with the appropriate authority.

The Fair Work Ombudsman recovered a total of \$7.573 million in back-pay for 3556 underpaid workers in Victoria last financial year. Nationally, between July 1, 2009 and December 31, 2011 the Agency recovered a total of \$68.2 million for 41,224 underpaid workers.

Fair Work Ombudsman Nicholas Wilson says when Fair Work inspectors identify a problem and contact a business, most employers check their records, realise a problem has occurred, and fix it immediately.

"It's a fact that some businesses inadvertently breach workplace laws. When we find mistakes, we're here to assist and give practical advice to employers on how to voluntarily fix them," says Mr Wilson.

"These Melbourne businesses have now corrected the errors that led to the underpayments and put processes in place to ensure they will not happen again."

Mr Wilson says it is important that employers do not delay lodgement of apprenticeship and trainee agreements for employees.

“Only registered apprentices and trainees can be paid apprentice and trainee rates, but we are finding some employers paying at this level despite not having officially registered their workers,” he said.



Workers or employers seeking support should get in touch with the Fair Work Ombudsman via the website – www.fairwork.gov.au - or call the Fair Work Infoline on 13 13 94. A free interpreter service is available on 13 14 50.

Free documentation is available Online for employers to use when hiring, managing and dismissing staff, including letters of engagement and probation, timesheet and pay slip templates, leave application forms, a self-audit check list and workplace complaint form.

A section of the website is devoted to providing information on workplace laws specifically relating to apprentices and trainees.

The website has a number of tools and resources, including PayCheck Plus and an Award Finder, to assist business-owners to calculate the correct pay for their employees.

An ‘Industries’ section on the website provides extra, specialised information for employers and employees in the retail, cleaning, clerical, hair and beauty, security, horticulture, vehicle, fast food, hospitality and vehicle industries.

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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

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.