

Foreign worker at Brisbane restaurant allegedly underpaid \$5000

9 March 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 the operator of a Brisbane restaurant for allegedly underpaying a foreign worker more than \$5000.

Facing court is AJSJ Pty Ltd, which operates the Rue de Paris restaurant in Milton.

Also facing court is the restaurant's part-owner and manager, Jasbir Kaur Ghag, of Brookfield.

It is alleged a casual cook at the restaurant was underpaid a total of \$5355 between October, 2007 and April, 2008.

The employee - who was aged 34 at the time - is a Japanese national who was in Australia on a bridging visa.

The employee was allegedly underpaid the minimum hourly rate.

It is alleged the female employee was paid between \$9.25 and \$11.70 an hour when she should have been getting \$18.43 an hour.

Fair Work inspectors discovered the alleged underpayments when they investigated a complaint lodged by the employee.

AJSJ rectified the alleged underpayment last year.

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

The Fair Work Ombudsman alleges Ms Ghag was involved in AJSJ Pty Ltd committing two breaches of workplace laws. The maximum penalty per breach is \$6600 for Ms Ghag and \$33,000 for the company.

The case is listed for April 4 in the Federal Magistrates Court in Brisbane.

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

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Call through the National Relay Service (NRS):

For TTY: 13 36 77. Ask for the Fair Work Infoline 13 13 94

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