

Company director back-pays employee outstanding leave entitlements

22 November 2012

A former Sydney company director has back-paid one of his former staff more than \$17,000 in annual leave entitlements which have been outstanding since the employee's job was terminated in August, 2010.

Mr Giacomo Ferretti, former director of MPI Group Australia Pty Ltd and Enjenia Services Pty Ltd, must now also write to the employee - a senior mechanical engineer - apologising for his involvement in the non-payment of accrued entitlements.

As part of an Enforceable Undertaking signed with the Fair Work Ombudsman, Mr Ferretti must also place an advertisement in the Sydney Morning Herald newspaper acknowledging his "sincere regret" for contravening the Fair Work Act and promising that this conduct will not occur again.



The Enforceable Undertaking requires Mr Ferretti to undertake an accredited training course on the rights and responsibilities of employers and employees under the Fair Work Act.

Further, it solicits a commitment from Mr Ferretti that if he or entities he creates employ staff again in the future, they will at all times and in all respects comply with national workplace laws.

The Enforceable Undertaking is the culmination of an investigation by the Fair Work Ombudsman which found the senior mechanical engineer had been denied accrued leave entitlements totalling \$17,457.50 when his employment with Enjenia was terminated in August, 2010. The employee also previously worked for MPI.

Both companies are now in liquidation.

Legal proceedings commenced against Mr Ferretti in the Federal Magistrates Court in Sydney in May have been discontinued following his agreement to enter into the Enforceable Undertaking.

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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.

[Enforceable Undertaking Giacomo Ferretti \(PDF 2.1MB\) \(www.fairwork.gov.au/ArticleDocuments/721/Giacomo-Ferretti-EU.pdf.aspx\)](http://www.fairwork.gov.au/ArticleDocuments/721/Giacomo-Ferretti-EU.pdf.aspx)

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