

Cleaning contractor faces court action over alleged underpayment of foreign workers

11 October 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.

Three international students worked for a Melbourne cleaning contractor for several weeks without being paid, the Fair Work Ombudsman alleges.

Facing court is Bentleigh man Terrence Cyril Thomas, who owns and runs a contract cleaning business trading as Over the Top Happy Cleaning Services.

The three male students in their 20s allegedly worked for 61 hours, 63 hours and 207 hours in 2009-2010, but were paid nothing at all.

They were allegedly underpaid amounts of \$1170, \$1205 and \$4445.

The part-time and casual employees worked at various locations in suburban Melbourne performing duties including vacuuming, mopping floors, emptying bins and cleaning windows, laundries, toilets, offices and kitchens.

The Fair Work Ombudsman discovered the alleged underpayments when it investigated complaints lodged by the employees.

Fair Work Ombudsman Nicholas Wilson says the involvement of vulnerable international students and the employer's failure to rectify the matter are key factors in the decision to prosecute.

The Fair Work Ombudsman alleges Mr Thomas committed several breaches of workplace laws. He faces maximum penalties of up to \$6600 per breach.

The Fair Work Ombudsman is also seeking a Court Order for Mr Thomas to back-pay the employees the amounts allegedly owed.

A directions hearing is listed for the Federal Magistrates Court in Melbourne on November 19.

Employers or employees seeking assistance should contact the Fair Work Infoline on 13 13 94 or a free interpreter service on 13 14 50.

Information on the website - www.fairwork.gov.au - is translated into 27 different languages.

Online videos to assist foreign workers to understand their workplace rights and entitlements can also be found on YouTube - [Media release \(www.fairwork.gov.au/about-us/news-and-media-releases/archived-media-releases/2011-media-releases/july-2011/20110711-youtube-videos\)](http://www.fairwork.gov.au/about-us/news-and-media-releases/archived-media-releases/2011-media-releases/july-2011/20110711-youtube-videos) .

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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.