

\$34,000 penalty for Whyalla company over underpayment of dozens of workers

16 October 2012

The former operator of four Whyalla businesses has been fined \$34,000 for underpaying dozens of employees following an investigation and legal action by the Fair Work Ombudsman.

The Federal Magistrates Court in Adelaide has imposed the penalty against Wegra Investments Pty Ltd, which formerly operated the Mobil service station, Subway franchise, newsagency and Australia Post franchise on Norrie Avenue at Whyalla.

The company admitted underpaying a total of 54 employees almost \$25,000 between 2005 and 2008.

The employees - most aged between 15 and 19 at the time - were variously underpaid annual leave entitlements, payments for meal breaks, minimum shift payments and penalty rates for weekend, public holiday and overtime work.

One employee, aged 19 to 21 at the time, was underpaid a total of \$7395.

Handing down his decision, Federal Magistrate Stuart Lindsay said "employers must be encouraged to observe the relevant employment requirements, especially as they relate to young people".



Fair Work inspectors discovered the underpayments when they investigated complaints lodged by workers.

Fair Work Ombudsman Nicholas Wilson says the Court's decision should remind employers of the importance of understanding and complying with their obligations to their workforce.

While Wegra Investments has back-paid all outstanding amounts to the Collector of Public Monies, the Fair Work Ombudsman has not been able to locate many of the workers to pass the money on.

Any former employee of Wegra Investments who believes they may be owed back-pay should contact the Fair Work Infoline on 13 13 94 or use the 'Unclaimed Money' search facility available at www.fairwork.gov.au.

Employers or employees seeking assistance should contact the Fair Work Infoline or visit the website. A free interpreter service is available on 13 14 50.

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Employers can also [sign up \(www.fairwork.gov.au/about-us/news-and-media-releases/newsletter/default\)](http://www.fairwork.gov.au/about-us/news-and-media-releases/newsletter/default) to a regular E-newsletter with helpful tips on workplace issues.

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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

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