

Journalist allegedly underpaid \$90,000 and sacked for complaining

25 September 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 is prosecuting a Sydney-based printing and publishing company, alleging it underpaid a journalist more than \$90,000 - and threatened, coerced and sacked him after he lodged a complaint.

Facing court is F.L. Press Pty Ltd, a Mascot-based company engaged in printing and publishing foreign newspapers, magazines and other publications, including the Novosti Newspaper.

Also facing court is company manager and sole director Theodore Skalkos.

F.L. Press allegedly underpaid the journalist a total of \$90,723 between 2003 and 2011, mainly as a result of paying him a flat rate of \$14.58 an hour, when he was entitled to receive up to \$24.72 an hour.

The employee, aged in his 50s, reported for the Novosti Newspaper on matters relating to the Serbian community in Australia.

The employee first lodged a complaint with the Fair Work Ombudsman in April, 2010 after F.L. Press allegedly told him his position was being changed from full-time to part-time.

F.L. Press allegedly threatened not to pay the employee's outstanding entitlements unless he signed a statement saying he agreed to the change.

It is alleged that on one occasion following the complaint, Mr Skalkos told the employee that he would be dismissed if he did not complete his own duties, as well as the duties of another employee who was on leave, within his usual hours.

On another occasion, Mr Skalkos allegedly used an intimidating and threatening tone when telling the employee he would not be dismissed if he withdrew his complaint.

The Fair Work Ombudsman Statement of Claim alleges that as a result of the employee refusing to withdraw his complaint, the journalist was ultimately dismissed in January, 2011.

The conduct of F.L. Press and Mr Skalkos allegedly breached provisions of workplace laws relating to adverse action and coercion.

Fair Work Ombudsman Nicholas Wilson says a decision to prosecute was made because of the seriousness of the alleged conduct.

The Fair Work Ombudsman alleges F.L. Press committed several breaches of workplace laws and that Mr Skalkos was involved in a number of the breaches. They face maximum penalties per breach of up to \$33,000 and \$6600 respectively.

The Fair Work Ombudsman is also seeking a Court Order for F.L. Press to rectify the alleged underpayment of the employee.

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

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

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