

\$51,000 back-pay for workers in Melbourne's South-East

16 July 2013

Underpaid workers in Melbourne's South-Eastern suburbs have been back-paid a total of \$51,100 following recent intervention by the Fair Work Ombudsman.

The biggest recovery was \$34,000 for a Narre Warren truck driver, who had been underpaid his minimum hourly rate, casual loadings, overtime and penalty rates between 2004 and 2012.

The underpayments occurred because the worker was paid a flat rate of \$15 for all hours worked, which was not sufficient to meet his minimum entitlements.

Fair Work Ombudsman Executive Director, Steve Ronson, said that under workplace laws, it is the responsibility of employers to ensure employees receive their full lawful entitlements.

"Employers must ensure they are aware of the minimum pay rates, including penalty rates, that apply and that their business is fully compliant with workplace laws," Mr Ronson said.

"A common misunderstanding is that flat rates for all hours worked will compensate for overtime, penalty rates and loadings but often this isn't the case."

Other recent recoveries include:

- \$11,600 for a metal worker at Dandenong not paid redundancy pay entitlements upon termination of employment earlier this year, and
- \$5,500 for a truck driver at Dandenong not paid for all kilometres driven and underpaid the correct per kilometre rate in 2012 and earlier this year.

In all cases, the employers cooperated with Fair Work Inspectors and the employees were reimbursed all money owed without the need for further action.

Mr Ronson said Fair Work Inspectors assisted the employers to put processes in place to ensure the errors do not occur again.

"When we find mistakes, we're here to assist and give practical advice to employers on how to voluntarily rectify any issues we identify," he said.

Employers and employees seeking information and advice should consult the free tools and resources available at www.fairwork.gov.au or call the Fair Work Infoline on 13 13 94.

Tools available online include PayCheck Plus to help calculate current wages, an Award Finder, record-keeping templates and best practice guides covering different aspects of employment.

PayCheck Plus calculates minimum rates of pay per hour, per shift or per week and takes into account payments for overtime, penalty rates and allowances.

An 'Industries' section on the website provides extra, specialised information for employers and employees in a range of industries, including road transport, metal manufacturing, retail, horticulture, accommodation and hospitality, cleaning, clerical, vehicle, electrical, fast food, building and construction, hair and beauty, joinery, social and community services, plumbing and security.

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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.