Illawarra workers share in $23,000 back-pay

4 June 2013

Workers in the NSW Illawarra region have been back-paid a total of $23,400 following recent intervention by the Fair Work Ombudsman.

The biggest recovery was $12,000 for a shop assistant at a Wollongong business who was underpaid the minimum hourly rate and overtime rates between 2009 and 2011, as well as wages in lieu of notice and annual leave entitlements upon termination of employment.

The underpayment was partly the result of the employer failing to pass on July 1 pay rate increases applicable to the employee's position.

In another case, eight workers at a Shellharbour café were back-paid $11,400 after being underpaid the minimum wage rate, as well as penalty rates for weekend, early morning and late-night work over a 12-month period in 2011-2012.

Acting Fair Work Ombudsman, Michael Campbell, said the cases highlight the need for employers to be aware of the wages and entitlements payable to their employees.

"That means knowing what modern award or agreement applies to employees, the correct classifications and the pay rates and entitlements that apply," Mr Campbell said.

In both cases, the underpaid employees were reimbursed all money owed without the need for the Fair Work Ombudsman to take further action.

Mr Campbell said Fair Work Inspectors had also 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 help employers understand their obligations to ensure they comply in the future," he said.

The Fair Work Ombudsman's website - www.fairwork.gov.au - contains a number of tools and resources, including PayCheck Plus, an Award Finder and fact sheets, to help business owners determine the correct pay rates and entitlements for workers.

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.

In the last financial year, the Fair Work Ombudsman recovered more than $17.4 million in back-pay for over 5000 NSW and ACT workers and more than 224,000 employees and employers across NSW and the ACT sought advice from the Fair Work Infoline.

Workers or employers seeking support should contact the Fair Work Ombudsman via the website or call the Infoline on 13 13 94. A free interpreter service is available on 13 14 50.

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Fair Work Online: www.fairwork.gov.au

Fair Work Infoline: 13 13 94

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Contact the Translating and Interpreting Service (TIS) on 13 14 50

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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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