

Three employees at NSW transport company allegedly underpaid almost \$250,000

6 June 2013

The Fair Work Ombudsman has launched legal action against the operators of a NSW transport company, alleging three employees at Dubbo and Orange were underpaid a total of almost \$250,000.

Facing Court is Doble Express Transport Pty Ltd, which operates an express freight service and has depots at Villawood, in Sydney, and in regional NSW at Dubbo, Orange, Bathurst, Parkes, Mudgee, Tamworth and Wagga.

Also facing Court is the company's part-owner and manager, Graeme John Doble.

Three employees based at Doble Express Transport's Dubbo and Orange depots were allegedly underpaid a total of \$248,981 between 2007 and 2013.

It is alleged that a truck driver was underpaid \$102,556, an administration officer was underpaid \$60,111 and an employee who performed administration and truck driving duties was underpaid \$86,314.

It is alleged that the underpayments were largely the result of the employees being paid flat rates of \$18 to \$19 for all hours worked, leading to underpayment of their penalty rates for overtime, public holiday and shift work.

The employees were allegedly entitled to be paid more than \$35 an hour for some overtime work.

The employees were allegedly also underpaid meal and travel allowances, casual loadings and annual leave pay. Record-keeping breaches are also alleged.

Acting Fair Work Ombudsman, Michael Campbell, said the significant amounts involved and the failure to rectify the alleged underpayments were significant factors in the decision to commence legal action.

Mr Doble was allegedly involved in Doble Express Transport committing multiple breaches of workplace laws.

For breaches prior to 28 December, 2012, Mr Doble faces penalties of up to \$6,600 per breach and the company faces penalties of up to \$33,000 per breach. For breaches after 28 December, 2012, Mr Doble faces penalties of up to \$10,200 per breach and the company faces penalties of up to \$51,000 per breach.

The Fair Work Ombudsman is also seeking a Court Order for back-payment. A directions hearing is listed in the Federal Circuit Court in Sydney on June 14.

Employers and employees seeking assistance should visit www.fairwork.gov.au or contact the Fair Work Infoline on 13 13 94.

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