

\$52,800 fine for “gross exploitation” of international students

24 June 2013

A Melbourne cleaning contractor has been fined \$52,800 for the "gross exploitation" of three international students, who were not paid any wages for several weeks of work.

Bentleigh man Terrence Cyril Thomas, who owns and runs "Over the Top Happy Cleaning Services", has received the fine in the Federal Circuit Court after underpaying the students a total of \$6,820.

Thomas has also been ordered to back-pay the students in full within 60 days.

The fine and back-payment order, imposed in the Federal Circuit Court in Melbourne, are the result of legal action by the Fair Work Ombudsman.

The three underpaid employees were all males aged in their 20s who worked for 61 hours, 63 hours and 207 hours in 2009-2010, but were paid nothing at all.

The part-time and casual employees worked at various locations in suburban Melbourne performing duties including vacuuming, mopping floors, emptying bins and cleaning windows, laundries, toilets, offices and kitchens.

In imposing the fine - which was 80 per cent of the available maximum - Judge Heather Riley said Thomas had shown no remorse for deliberately exploiting "particularly vulnerable" workers.

"The experience of the three employees in this case indicates that the respondent had a modus operandi that involved gross exploitation of vulnerable workers," Judge Riley said.

"There must be a clear message to employers that not paying vulnerable workers will not be tolerated.

"There is a clear need to ensure compliance with minimum standards, particularly in the contract cleaning industry where many vulnerable workers are employed."

Acting Fair Work Ombudsman, Michael Campbell, said the Court's decision sends a message that exploiting vulnerable workers is extremely serious conduct.

"We will not hesitate to take action to protect vulnerable workers' rights," he said.

Employers and employees seeking assistance should visit www.fairwork.gov.au or contact the Fair Work Infoline on 13 13 94. A free interpreter service is available by calling 13 14 50.

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Contact us

Fair Work Online: www.fairwork.gov.au

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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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