

South Australian workers back-paid \$164,000

27 May 2013

Underpaid workers throughout South Australia have been back-paid a total of \$164,900 following recent intervention by the Fair Work Ombudsman.

Acting Fair Work Ombudsman, Michael Campbell, said many of the underpayments were a result of employers not being fully aware of the minimum pay rates their employees were entitled to.

The biggest recovery was \$29,200 for a cleaner at Tanunda who had been underpaid the minimum hourly rate, as well as penalty rates for overtime, weekend and evening work between 2005 and 2011.

In another case, a Regency Park truck driver was back-paid \$19,500 after being underpaid wages in 2010-2011, as well as annual and long service leave entitlements upon termination of employment.

Mr Campbell said that if employers take the time to get the basics right, they should find that everything else starts to fall into place.

“That means knowing what modern award or agreement applies to employees, the correct classifications for employees and the minimum pay rates that apply,” he said.

“If small errors in wages and entitlements are left unchecked, they can mount up and result in employers needing to make significant back-payments of thousands of dollars.

“This is why it’s important that employers ensure they get it right the first time around.”

Other recent recoveries in Adelaide and regional South Australia include:

- \$16,100 for a machine operator at Wingfield underpaid annual and long-service leave entitlements upon termination of employment earlier this year,
- \$14,500 for a caravan park worker on the Eyre Peninsula underpaid wages, and penalty rates for weekend and public holiday work between 2009 and 2012,
- \$9,800 for a truck driver at Mount Gambier not paid for time spent loading and unloading his vehicle and underpaid wages, allowances and annual leave entitlements over an 11-month period in 2009-2010,
- \$9,400 for a pest control worker in the Clare Valley not paid accrued annual leave entitlements upon termination of employment in 2011,
- \$9,100 for a Mount Compass delivery driver not paid weekend penalty rates, overtime rates and allowances over a nine-week period in 2011,
- \$8,900 for a community services worker at Murray Bridge not paid redundancy entitlements upon termination of employment in 2011,
- \$8,400 for a truck driver at Mount Barker underpaid overtime rates, public holiday pay, annual leave entitlements and allowances in 2010-2011,
- \$8,000 for a tradesman at Whyalla not paid a living away from home allowance over a five-month period in 2012,
- \$7,800 for four workers at a retail business in Peterborough underpaid wages and weekend penalty rates over a 12-month period in 2012-2013,
- \$7,200 for a retail manager at Modbury not paid redundancy entitlements in 2011,
- \$6,000 for eight workers at a Ceduna retail business underpaid wages and weekend penalty rates between 2011 and 2013,
- \$5,500 for a farm hand at Mount Gambier underpaid wages and not paid for all hours worked over a five-month period in 2011, and
- \$5,500 for a maintenance worker at Wingfield underpaid meal allowances and overtime rates between 2007 and 2012.

Mr Campbell said in all cases, the businesses involved cooperated with Fair Work inspectors, resulting in employees being reimbursed all money owed without the need for further action.

Mr Campbell said inspectors had assisted the businesses to put process in place to ensure they get things right in the future.

“When we find mistakes, we’re here to assist and give practical advice to employers on how to voluntarily resolve issues,” he said.

Mr Campbell said the Fair Work Ombudsman's website - www.fairwork.gov.au - has a range of free tools to assist employers to calculate the correct wages and penalty rates for employees, including PayCheck Plus and an Award Finder.

The website also includes fact sheets on topics including the National Employment Standards, best practice guides and record-keeping templates.

An 'Industries' section on the website provides extra, specialised information for employers and employees in a range of industries, including retail, cleaning, clerical, hair and beauty, security, horticulture, fast food and hospitality.

More than \$2.4 million in back-pay was recovered for over 1800 workers in South Australia last financial year and more than 45,000 South Australian employees and employers sought advice from the Fair Work Infoline.

Employers and employees seeking information and advice should visit www.fairwork.gov.au 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

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

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