

## Court action over alleged underpayment of Melbourne childcare workers

11 November 2013

The Fair Work Ombudsman has launched legal action against the owner-operator of a Melbourne childcare business, alleging she underpaid five workers a total of more than \$15,000.

Facing Court is Melbourne woman Vivien Mahomet, who owns and operates a business trading as Academy for Kids, which provides before and after school care and holiday care for children at a number of sites throughout Melbourne.

It is alleged Ms Mahomet underpaid five casual childcare employees located at Glen Waverley, West Preston and Reservoir a total of \$15,450 between June and December, 2012.

The employees were aged in their 30s and 40s and each held a Certificate Level III in Children's Services. One of the employees was an Indian national who was in Australia on a student visa.

The employees were allegedly underpaid their minimum hourly rate for some work performed and not paid at all for some work. Casual loadings and broken shift allowances were allegedly also underpaid.

Ms Mahomet allegedly also breached pay slips laws and failed to comply with a Notice to Produce issued by Fair Work Inspectors investigating underpayment complaints lodged by the employees.

Fair Work Ombudsman, Natalie James, said the significant amounts involved and failure to rectify the matter were significant factors in the decision to commence legal action.

The Fair Work Ombudsman alleges Ms Mahomet committed multiple breaches of workplace laws. She faces maximum penalties of up to \$3,300 to \$6,600 per breach.

The Fair Work Ombudsman is also seeking a Court Order for Ms Mahomet to back-pay the employees the amounts that were allegedly underpaid.

A directions hearing is listed in the Federal Circuit Court in Melbourne on November 15.

Employers and employees seeking assistance should visit [www.fairwork.gov.au](http://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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Fair Work Infoline: 13 13 94

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