

Court action over alleged \$22,000 underpayment of foreign worker in Melbourne

7 October 2013

The Fair Work Ombudsman has launched legal action against the former operator of a Melbourne electrical manufacturing business, alleging an immigrant worker who spoke little English was underpaid more than \$22,000.

Facing Court is Melbourne man Moussa Ghorbani-Palangi, who owned and operated Bayswater-based business M.G.P. Electrical, before it ceased trading earlier this year.

It is alleged that Mr Ghorbani-Palangi was responsible for a process worker at the business being underpaid \$22,473 between March, 2008 and May, 2012.

The casual employee, from Thailand and aged in his 40s, was in Australia on a bridging visa and spoke little English when he commenced employment at the business. He is now an Australian citizen.

The employee performed duties including wire inspection, ordering and shelving goods, labelling and assembling small electrical panel components, point to point continuity testing and stock checking.

It is alleged the underpayment is the result of the employee being paid flat hourly rates starting at \$13 and later increasing to \$18, which were below the minimum hourly rates he was entitled to as a casual employee.

Fair Work Inspectors discovered the alleged underpayments when they investigated a complaint lodged by the employee.

Fair Work Ombudsman, Natalie James, said the significant amount involved for a vulnerable worker and the failure to rectify the alleged underpayment were significant factors in the decision to commence legal action.

Mr Ghorbani-Palangi was allegedly involved in multiple breaches of workplace laws. He faces penalties of up to \$6,600 per breach.

The Fair Work Ombudsman will seek a Court Order for any penalty imposed against Mr Ghorbani-Palangi to go towards rectifying the alleged underpayment of the employee.

A hearing is listed in the Federal Circuit Court in Melbourne for early next year.

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.

Media inquiries:

Tom McPherson, Media & Stakeholder Relations
0439 835 855
media@fwo.gov.au

Page reference No: 3160

Contact us

Fair Work Online: www.fairwork.gov.au

Fair Work Infoline: 13 13 94

Need language help?

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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