

\$33,000 back-paid to workers in Melbourne's East and South-East

10 October 2013

Underpaid workers in Melbourne's East and South-East have been back-paid \$33,900 following recent intervention by the Fair Work Ombudsman.

In one case, a Burwood East medical clinic receptionist was back paid \$7,600 after not being paid her annual leave entitlements when her employment was terminated in 2012.

Fair Work Ombudsman, Natalie James, said that under workplace laws, it is the responsibility of employers to ensure employees receive their full lawful entitlements, including on termination.

"Getting it right when it comes to a worker's final pay is just as important as ensuring they receive the correct entitlements throughout their employment," Ms James said.

Other recent recoveries include:

- \$7,000 for a chef at a Ringwood restaurant not paid his redundancy entitlements upon termination of employment earlier this year,
- \$6,900 for a cleaner at a Huntingdale business not paid her long service leave entitlements upon termination of employment in 2012,
- \$6,400 for a Chinese national employed as a console operator at a service station in the Blackburn area underpaid the minimum hourly rate and late-night penalty rates between 2009 and 2012, and
- \$6,000 for a manager at a Noble Park child care centre not paid for all hours worked earlier this year.

In all these cases, Fair Work Inspectors helped the employers voluntarily back-pay the employees and no further action was required.

Ms James said when Fair Work Inspectors identify a problem and contact a business, most employers cross-check their records, realise they have made an error, and fix it immediately.

"We have a flexible, fair approach and our preference is to work with employers to educate them and help them voluntarily rectify any non-compliance issues we identify," she said.

The Fair Work Ombudsman's website - www.fairwork.gov.au - contains a range of tools and resources, including PayCheck Plus and an Award Finder, to help business owners determine the correct pay rates and entitlements for workers.

The 'Termination' section on the website outlines the entitlements payable in an employee's final pay and includes information on topics such as annual leave and redundancy pay.

Small businesses without the benefit of in-house advice such as human resources staff can also ensure they are better equipped when hiring, managing and dismissing workers by using the range of free templates available online.

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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