

Court action over alleged \$12,000 underpayment of two Melbourne employees

17 October 2013

The operator of a Melbourne furniture business is to face court for allegedly underpaying two workers more than \$12,000.

The Fair Work Ombudsman has launched the legal action against Montmorency man, Siu Kit Chan, majority owner and manager of Montmorency-based company, Iwood Australia Pty Ltd, a furniture importation/wholesaling business.

It is alleged two employees, aged in their 20s, were underpaid a total of \$12,704.

One of the employees was a Malaysian national, in Australia on a bridging visa, who worked as an administrative assistant.

She was allegedly underpaid \$9,459 in 2010-2011 as a result of being underpaid of her minimum hourly rate, casual loading, leave entitlements, overtime rates, weekend penalty rates and public holiday pay.

A Melbourne man who worked in the company's warehouse was allegedly underpaid \$3,245 last year as a result of being underpaid annual leave entitlements and not being paid any wages for 94 hours of work.

The Fair Work Ombudsman discovered the alleged underpayments when it investigated complaints lodged by the employees.

Fair Work Ombudsman, Natalie James, said the significant amounts involved and the involvement of a young, foreign worker were key factors in the decision to commence legal action.

Mr Chan was allegedly involved in Iwood Australia committing multiple breaches of workplace laws. Mr Chan faces maximum penalties of up to \$6,600 per breach.

The Fair Work Ombudsman is also seeking orders for Mr Chan to back-pay the employees in full.

A directions hearing is listed in the Federal Circuit Court in Melbourne on Friday, 18 October.

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.

Page reference No: 3147

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