

\$85,000 back-paid to inner Melbourne workers

11 September 2013

Underpaid workers in Melbourne's CBD and inner suburbs have been back-paid a total of \$85,400 following recent intervention by the Fair Work Ombudsman.

At one CBD fast food business, a foreign national from China and three from Taiwan were back-paid a total of \$24,400 after being paid flat hourly rates of just \$11 in 2012 and earlier this year.

The casual workers should have been getting at least \$21.91 per hour in addition to overtime, weekend and late-night penalty rates.

Fair Work Ombudsman, Natalie James, said the employer was issued with a letter of caution to help deter them from underpaying employees in the future and fined \$550 for record-keeping breaches.

"Employers have a responsibility to ensure their workers are paid correctly and that their business is fully compliant with workplace laws," Ms James said.

"We're here to help make sure that happens and to offer information and advice to assist business operators to understand and comply with their obligations."

Other recent recoveries include:

- \$18,100 for an IT engineer at a CBD internet provider not paid his redundancy pay entitlements upon termination of employment in 2012,
- \$12,900 for a Korean national employed as a hairdresser at a CBD salon underpaid the minimum hourly rate between 2010 and 2012,
- \$11,900 for an IT engineer at a South Melbourne telecommunications business not paid his redundancy pay entitlements upon termination of employment in 2012,
- \$7,300 for a Chinese national employed as a chef at a CBD restaurant underpaid the minimum hourly rate, annual leave entitlements, weekend, overtime and late-night penalty rates in 2011-2012,
- \$5,800 for a Korean national employed as a kitchen hand at a CBD restaurant underpaid the minimum hourly rate over a four-month period, and
- \$5,000 for a North Melbourne gym instructor underpaid the minimum hourly rate between 2009 and earlier this year.

Fair Work Inspectors assisted the employers to 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.

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 and entitlements for workers.

Employers and employees seeking further information and advice can also call the Fair Work Infoline on 13 13 94. A free interpreter service is available on 13 14 50.

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Media inquiries:

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

Contact us

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

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Call through the National Relay Service (NRS):

For TTY: 13 36 77. Ask for the Fair Work Infoline 13 13 94

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