

Rocky car hire company fined for underpaying worker

25 September 2013

A Rockhampton car rental firm and its sole director have been fined a total of \$92,664 for underpaying a worker over a five year period.

Central Car & Truck Rental Pty Ltd, which trades as Thrifty Car Rental in Rockhampton, has been fined \$77,200. Sole director, John Edward Featherstone, has been fined a further \$15,444.

The fines were imposed by the Federal Circuit Court in Brisbane and follow legal action instigated by the Fair Work Ombudsman.

The fines were imposed after Featherstone admitted that Central Car & Truck Rental underpaid the employee, a vehicle detailer, \$28,828 between June 2007 and August 2012.

The employee was underpaid his minimum rate of pay, weekend penalty rates, public holiday rates, overtime rates and annual leave entitlements. Fair Work Inspectors discovered the underpayment when they investigated a complaint lodged by the employee, who is aged in his 60s.

The underpayment was rectified only after legal proceedings commenced.

Fair Work Ombudsman, Natalie James, said the Court's decision sends a strong message that underpaying employee entitlements is considered serious by the courts.

"Successful legal actions such as this, accompanied by significant penalties, demonstrate to anyone responsible for employing staff that it is important to get things right with respect to employee entitlements," Ms James said.

"Employing staff is a significant responsibility and it's important that staff receive all their lawful entitlements.

"When Fair Work Inspectors identify an underpayment as a result of a complaint, the overwhelming majority of employers are only too willing to rectify underpayments.

"Where that doesn't occur, the Fair Work Ombudsman has a range of options available to it, including legal action where, as this case highlights, significant penalties can be imposed.

"The Fair Work Ombudsman has a range of tools and resources freely available on our website at www.fairwork.gov.au to help employers, particularly small business employers, meet their obligations under workplace law.

"These include tools such as an Award Finder, templates for time and wages records and payslips. Our Fair Work Infoline staff are also available to help businesses on 13 13 94."

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

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