

\$76,000 back-pay for Top End workers

19 February 2014

Dozens of employees in the Northern Territory have been reimbursed more than \$76,000 after inquiries by the Fair Work Ombudsman revealed they had been underpaid at work.

In Darwin, 21 cleaners received a total of \$34,500 - an average \$1642 each - as a result of being underpaid their minimum hourly rate and penalty rates over eight months last year.

The employees were paid flat hourly rates of \$18. As casual employees, they were entitled to a higher minimum rate, as well as penalty rates for overtime, weekend and shift work.

Fair Work Ombudsman Natalie James says the employer was new to the industry and unaware of the relevant workplace obligations.

Ms James says the case highlights the importance of employers seeking correct advice about the pay rates and entitlements that apply to their employees.

"A small mistake left over time can result in a hefty bill for back-payment of wages – so it is important employers get it right in the first place," she said.

In a separate case in Katherine, cleaners are also among 30 employees at a hospitality premises who have shared in back-pay totalling \$9900 after it was found they had been short-changed their penalty rates over 12 months.

Similarly, house-keepers are also among 17 employees at a motel in Darwin who have been reimbursed \$9600 as a result of being underpaid their minimum hourly rate and penalty rates over a year.

Other recent recoveries in the NT include:

- \$9100 for a manager at a Gove Peninsula business not paid her annual leave entitlements upon termination of employment,
- \$8100 for eight employees, including kitchen hands and waiting staff, at a Darwin café underpaid the minimum hourly rate and weekend penalty rates over a 14-months, and
- \$5400 for 12 hotel workers in Darwin, including housekeepers and receptionists, underpaid the minimum hourly rate and weekend penalty rates over a year.

Ms James says that in each case, the employees were reimbursed all money owed without the need for further action against the employers.

"It is pleasing to see employers accept our assistance and put processes in place to ensure errors that led to the underpayments are not repeated in future," she said.

To the end of 2013, the Fair Work Ombudsman had recovered more than \$200 million in underpaid wages for employees throughout Australia.

Last financial year, it recouped \$222,000 for 314 employees in the Northern Territory and \$24 million nationally for a total of 17,500 workers.

Ms James says that when contraventions are identified, most employers are quick to rectify the issues and accept assistance from Fair Work inspectors and advisors.

She says the Fair Work Ombudsman has a particular focus on assisting small businesses to understand and meet their obligations to employees.

"Small businesses often don't have the benefit of in-house human resources and payroll staff, so we place a high priority on assisting them and developing tools and resources to make it easier for them to comply with workplace law," she said.

The Fair Work Ombudsman has established a dedicated webpage for small business employers at www.fairwork.gov.au/smallbusiness (www.fairwork.gov.au/find-help-for/small-business/default) .

The webpage includes a Fair Work handbook for employers and a range of resources on topics such as employing staff, resolving

workplace disputes and managing employees.

Online tools also include PayCheck Plus and an Award Finder to assist business owners and employees determine the correct award and minimum wages for their industry, templates for pay slips and time-and-wages records and a range of fact sheets on workplace entitlements.

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

Small business employers calling the Fair Work Infoline can opt to be put through to the Small Business Helpline to receive priority service.

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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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