

South-East Queensland workers back-paid \$52,000

11 February 2014

A number of workers in South-East Queensland have been back-paid more than \$52,000 in wages and entitlements following recent intervention by the Fair Work Ombudsman.

The biggest recovery was \$25,200 shared by two employees in Toowoomba who were underpaid their annual leave entitlements between 2010 and 2013.

The workers, a cook and a maintenance officer, were underpaid \$16,100 and \$9100 respectively as a result of their employer mistakenly believing they were not entitled to annual leave entitlements under the employment contracts they had signed.

Fair Work Ombudsman Natalie James says employers need to be aware that entitlements provided by the National Employment Standards, including annual leave, can't be negotiated away.

"Employment contracts or handshake agreements with employees do not exempt employers from providing the minimum entitlements provided by workplace laws," Ms James said.

"It is important employers ensure they are aware of their obligations under workplace laws, otherwise they can end up facing big back-payment bills they were not budgeting for.

"A key role of the Fair Work Ombudsman is to educate employers about their workplace obligations and to help them get it right, and that was certainly our focus in these cases."

Other recent recoveries include:

- \$20,000 for two workers, aged 19 and 22, at an Ipswich fast food business underpaid their minimum hourly rates between 2009 and 2013, and
- \$7400 for a medical receptionist at Caboolture not paid her long service leave entitlements on termination of employment in 2013.

Ms James said the employees were reimbursed all money owed without the need for further action after Fair Work inspectors contacted the businesses and explained their obligations.

"These underpayments were genuine mistakes and it was pleasing to see all business owners accept assistance from Fair Work inspectors to put processes in place to ensure ongoing compliance with workplace law," she said.

The Fair Work Ombudsman's website - www.fairwork.gov.au – contains a variety of tools and resources to help employers easily understand and comply with workplace laws.

Website tools include an Award Finder and PayCheck Plus to assist employers determine the correct hourly rates, overtime and penalty rates for employees. Templates for time-and-wages sheets and pay slips are also available.

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

Follow the Fair Work Ombudsman on Twitter [@fairwork_gov_au](https://twitter.com/fairwork_gov_au) or find us on Facebook <http://www.facebook.com/fairwork.gov.au> .

Media inquiries:

Tom McPherson, Media Adviser

Mobile: 0439 835 855

tom.mcpherson@fwo.gov.au (<mailto:tom.mcpherson@fwo.gov.au>)

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

The Fair Work Ombudsman is committed to providing advice that you can rely on. The information contained on this website is general in nature. If you are unsure about how it applies to your situation you can call our Infoline on 13 13 94 or speak with a union, industry association or workplace relations professional. Visitors are warned that this site may inadvertently contain names or pictures of Aboriginal and Torres Strait Islander people who have recently died.