

Two Victorian petrol station workers allegedly underpaid almost \$50,000

18 February 2014

The Fair Work Ombudsman has commenced legal proceedings against the former operator of a petrol station in regional Victoria, alleging two console operators were underpaid a total of almost \$50,000.

Facing Court is Wedderburn Petroleum Pty Ltd, which formerly operated a Caltex petrol station at Wedderburn.

The company allegedly underpaid two console operators a total of \$47,258 between 2008 and 2013.

Court documents allege the employees were paid flat hourly rates ranging from \$10 to \$15.96 for all hours worked, resulting in underpayment of their minimum hourly rate, casual loadings, annual leave entitlements and penalty rates for weekend, public holiday and overtime work.

The company also allegedly contravened record-keeping and pay slip laws.

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

The employees were allegedly underpaid individual amounts of \$25,621 and \$21,637.

Fair Work Ombudsman Natalie James says the company's failure to rectify the alleged underpayments - despite attempts by inspectors to have it resolve the matter voluntarily - was a significant factor in the decision to place the matter before Court.

It is alleged that Wedderburn Petroleum committed multiple breaches of workplace laws.

The company faces penalties of \$33,000 to \$51,000 per breach.

The Fair Work Ombudsman is also seeking a Court Order for the company to rectify the underpayments in full.

A hearing is listed in the Federal Circuit Court in Melbourne on March 26.

Employers and employees seeking assistance can 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.

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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

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

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