

Egyptian migrant allegedly underpaid \$62,000

13 November 2014

An Egyptian migrant who delivered medicines to customers in Sydney was underpaid more than \$62,000 over almost four years, it will be alleged in court.

The man was allegedly paid a flat hourly rate of between \$12 and \$14, when he should have been getting between \$16 and \$30, depending on his shifts.

The Fair Work Ombudsman alleges the man, who spoke limited English, was a vulnerable employee who worked for a business which had previously been put on notice about the need to comply with workplace laws.

The Agency announced today that it would take legal action against three Sydney men - Nader Bastawrose, Amgad Samaan and Ashraf Youssef - who operate pharmacies trading as 'Save and Deliver'.

They are allegedly responsible for underpaying the employee a total of \$62,010 between September, 2009 and June, 2013.

The employee delivered medication to customers' homes and transferred supplies between pharmacies in Maroubra, Liverpool and Mt Druitt.

A second employee was allegedly underpaid \$5296 while working mainly in customer service at Shellharbour.

Fair Work Ombudsman Natalie James says inspectors made significant efforts to engage with the business operators to try to resolve the matter by agreement, but were unable to secure sufficient co-operation.

She says the Agency had received three requests in the past from Save and Deliver employees seeking assistance, and two were subsequently back-paid outstanding entitlements.

Ms James says the business allegedly continued to breach employee rights after having been advised of the need to comply with its workplace obligations.

Mr Bastawrose, Mr Samaan and Mr Youssef face maximum penalties of up to \$10,200 per breach. The Fair Work Ombudsman is also seeking a Court Order for the men to back-pay the workers in full.

A directions hearing is listed in the Federal Circuit Court, Sydney, on February 13.

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