

Fines imposed for ignoring back-pay request

19 November 2014

The former operators of a regional Victorian restaurant have been fined almost \$19,000 for failing to back-pay an underpaid overseas worker.

Victorian woman Megha Sood, has been fined \$3542 and her company Anahata Naturals Pty Ltd a further \$15,300.

The penalties have been imposed by the Federal Circuit Court following legal action by the Fair Work Ombudsman.

Sood is the former owner-operator of the Anahata Food for Life Indian restaurant at Ocean Grove.

The Fair Work Ombudsman commenced legal action after Sood and her company failed to comply with a Compliance Notice in October, 2013 to back-pay \$8707 in wages owed to an underpaid chef.

The chef was a Sri Lankan national in Australia on a temporary resident visa.

The Court has also ordered Anahata Naturals to back-pay the employee in full.

Under the Fair Work Act, employers must comply with Compliance Notices issued by Fair Work inspectors unless they have a reasonable excuse, or make a Court application to challenge the Notice.

Fair Work Ombudsman Natalie James says inspectors made extensive efforts to resolve the matter before commencing legal action, but were unable to secure co-operation.

“Employers who fail to co-operate and rectify underpayments can face a significant fine on top of a Court Order for back-payment,” Ms James said.

“Successful litigations such as this also benefit employers who are complying with workplace laws, because it helps them to compete on a level playing field.”

Ms James says the Fair Work Ombudsman can assist employers with accurate, reliable information and encouraged businesses to access the Agency’s free tools and resources.

Employers and employees seeking advice or assistance should visit the website at 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.

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

Media inquiries:

Ryan Pedler, Assistant Media Director

Mobile: 0411 430 902

ryan.pedler@fwo.gov.au (<mailto:ryan.pedler@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

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