

Hair and beauty operator faces legal action over failure to pay compensation

25 November 2014

A Melbourne hair and beauty business is facing Court for allegedly ignoring a Fair Work Commission order to compensate an employee who had been unfairly dismissed.

The Fair Work Ombudsman has commenced legal proceedings against Maria Raimondi and her company Raimondi Investments Pty Ltd, operators of the Raimondi Hair and Day Spa at Eltham.

In June, the Fair Work Commission ordered Ms Raimondi's company to pay \$6050 compensation to a hairdresser it found had been unfairly dismissed earlier this year.

The Fair Work Ombudsman investigated after receiving a referral from the Fair Work Commission that the compensation was not paid within the required 14 days.

The Fair Work Ombudsman made several requests for the company to comply with the Commission's Orders, but the company did not pay the compensation.

"Our inspectors made extensive efforts to engage with this business to try to resolve the matter, but were not able to secure co-operation," says Fair Work Ombudsman Natalie James.

The compensation was paid only after the Fair Work Ombudsman commenced legal action late last month.

Ms James says her Agency has an important role to play in enforcing orders issued by the Fair Work Commission.

"Compliance is fundamental for the integrity of the workplace relations system and employers should be aware that we are prepared to take action where appropriate," she said.

Raimondi Investments faces a maximum penalty of \$51,000 and Ms Raimondi faces a maximum penalty of \$10,200.

A directions hearing is listed in the Federal Circuit Court in Melbourne for December 11.

Since May, 2012, the Fair Work Ombudsman has investigated 12 matters relating to alleged non-compliance with Fair Work Commission Orders.

Eight were the result of employee requests for assistance and four as a result of referrals from the Commission.

The action against Ms Raimondi and her company is only the second Fair Work Ombudsman litigation alleging breach of a Fair Work Commission Order to pay unfair dismissal compensation.

In the earlier case, Melbourne company World Gym Sunshine Pty Ltd and its director Wayne George Mailing were fined almost \$50,000 for ignoring an order to pay \$2200 compensation to a young employee (see: [Company, director fined almost \\$50,000 for ignoring unfair dismissal compensation Order \(www.fairwork.gov.au/about-us/news-and-media-releases/archived-media-releases/2014-media-releases/september-2014/20140930-world-gym-penalty\)](http://www.fairwork.gov.au/about-us/news-and-media-releases/archived-media-releases/2014-media-releases/september-2014/20140930-world-gym-penalty)).

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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