

Dentist allegedly underpaid \$66 000

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An international student studying dentistry in Melbourne was allegedly underpaid tens of thousands of dollars after being recruited by a dental clinic in the CBD.

The female student, from South Korea, was recruited by the Nobrace Dental Clinic on a 457 skilled worker visa on a nominated annual salary of \$50,000.

However, documents lodged with the Federal Circuit Court allege the woman, in her late 20s, was paid a flat rate of just \$15 an hour.

The Fair Work Ombudsman has announced legal proceedings against the former operators of the Nobrace Dental Clinic, Kooyong couple Dr Ari Masters and his wife Christine, and their company.

In its Statement of Claim, the Fair Work Ombudsman alleges the employee was short-changed a total of \$66,945 between April, 2011 and February, 2014.

Under the Health Professionals and Support Services Award, the employee should have been paid between \$16.90 and \$18.93 for normal hours and up to \$37.85 an hour for overtime.

The Fair Work Ombudsman discovered the alleged underpayment when it investigated a request for assistance from the visa-holder.

Fair Work inspectors allegedly found that tax deductions from the employee's wages were based on her nominated salary, not what she was actually paid.

False time-and-wages records for the employee were also allegedly created to give the impression the employee was paid her nominated salary.

Workplace laws relating to pay-slips, payment of annual leave entitlements and employee records were also allegedly breached and a Notice to Produce records was not complied with.

Fair Work Ombudsman Natalie James says a decision was made to commence legal action because of the seriousness of the alleged breaches and the involvement of a vulnerable overseas worker.

Dr Masters and Mrs Masters face maximum penalties of up to \$10,200 per contravention and their company up to \$51,000 per contravention.

The Fair Work Ombudsman is seeking a Court Order for full back-payment of the employee and an injunction restraining the couple from underpaying health industry workers in future.

NOTE: Nobrace Centre Pty Ltd has sold the Nobrace Centre dental clinic in the Melbourne CBD and the current owners are not involved in the proceedings above.

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