

Canberra business faces legal action over failure to pay compensation

14 January 2015

A Canberra carpentry 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 Canberra man Heath Wright and his company HW Carpentry Solutions Pty Ltd.

In August, the Fair Work Commission ordered the company to pay \$7650 compensation to an adult apprentice tradesman it found had been unfairly dismissed last year.

The employee lodged a complaint with the Fair Work Ombudsman after 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.

"Our inspectors made repeated 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.

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.

Mr Wright faces a maximum penalty of \$10,200 and his company faces a maximum penalty of \$51,000. The Fair Work Ombudsman is also seeking a Court Order for the company to pay the outstanding compensation to the employee. A directions hearing is listed in the Federal Circuit Court in Canberra on February 2.

It is one of a number of Fair Work Ombudsman litigations alleging breach of a Fair Work Commission order to pay unfair dismissal compensation.

In the one case that has been finalised in Court, Melbourne company World Gym Sunshine Pty Ltd and its director Wayne George Mailing were fined almost \$50,000 in September, 2014 for ignoring an order to pay \$2200 compensation to a young employee (see www.fairwork.gov.au/about-us/news-and-media-releases/archived-media-releases/2014-media-releases/september-2014/20140930-world-gym-penalty) media release).

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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Contact us

Fair Work Online: www.fairwork.gov.au

Fair Work Infoline: 13 13 94

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Hearing & speech assistance

Call through the National Relay Service (NRS):

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

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