

Court dismisses legal action

5 June 2015

The Federal Circuit Court has dismissed the Fair Work Ombudsman's legal action against a Perth electrical business.

In 2010, the Fair Work Ombudsman commenced legal action D'Adamo Nominees, which trades as the Wangara-based business L&A Electrics.

It was alleged that L&A Electrics underpaid an 18-year-old employee \$9892.

The Court found that the employee was not an apprentice, because his apprenticeship agreement was not signed by a parent or guardian as required under the Industrial Training Act 1975.

The Court also dismissed the Fair Work Ombudsman's submission that the Electrical Contracting Industry Award 1978 applied to the employee on the basis of a factual finding that the employee did not fit within the classification of "electrical assistant" under the Award.

Page reference No: 5363

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

The Fair Work Ombudsman is committed to providing advice that you can rely on. The information contained on this website is general in nature. If you are unsure about how it applies to your situation you can call our Infoline on 13 13 94 or speak with a union, industry association or workplace relations professional. Visitors are warned that this site may inadvertently contain names or pictures of Aboriginal and Torres Strait Islander people who have recently died.