

## \$100,000 back-pay for Adelaide workers

20 March 2015

More than 100 Adelaide workers have been back-paid over \$100,000 following recent inquiries by the Fair Work Ombudsman.

Seven cleaners at a Salisbury business were reimbursed \$32,000 – an average \$4571 each – after being short-changed over a 12-month period.

The employees were paid flat hourly rates above the minimum, but not enough to cover penalty rates for overtime and shift work.

The Fair Work Ombudsman audited the business during a national campaign focused on the cleaning industry that recovered \$763,000 for workers nationally, including \$68,000 in South Australia.

In a separate case, 16 café staff at Glenelg were reimbursed a total of \$18,400 after being underpaid their minimum hourly rates and weekend penalty rates.

Similarly, the underpayments occurred because the employer was unaware of the minimum wage rates applicable to the business.

Both employers co-operated with Fair Work inspectors and promptly reimbursed the employees all money owed, without the need for enforcement action.

“Unfortunately, we still see cases where employers pay flat hourly wage rates without considering whether overtime or penalty rates might apply,” says Fair Work Ombudsman Natalie James.

“It’s important for employers to ensure they are fully aware of the wage rates applicable to their business, particular where overtime, weekend or evening shifts are involved.”

Other recent recoveries in and around Adelaide include:

- \$9800 for eight fast food workers at Noarlunga underpaid their minimum hourly rates and weekend penalty rates,
- \$9500 for seven workers at a Blakeview business underpaid their afternoon shift penalty rates over a six-month period last year,
- \$8000 for 19 fast food workers at a City take-away business underpaid their minimum casual rates and weekend penalty rates,
- \$6500 for 67 workers at a Richmond business underpaid their afternoon shift and weekend penalty rates over a five-month period last year,
- \$6100 for a Melrose Park worker underpaid his annual leave and leave loading entitlements between 2007 and 2013,
- \$6000 for five employees at a Modbury fast food business underpaid their minimum hourly rates, and
- \$5700 for seven staff at a City restaurant underpaid their minimum hourly rates and penalty rates for late-night and weekend work.

Ms James says the employees were reimbursed all money owed after Fair Work inspectors contacted the employers and explained their obligations.

“We recognise that errors happen, so we have a flexible and fair approach when inadvertent mistakes occur and to employers who are willing to co-operate with us to ensure they don’t occur in the future,” she said.

Fair Work inspectors also informed employers about the range of free tools available at [www.fairwork.gov.au](http://www.fairwork.gov.au) to help them comply with workplace laws.

Online resources include tools to assist employers and employees determine the correct award and minimum wages for their industry, templates for time-and-wages records and an Online Learning Centre with free interactive courses.

Ms James says the Fair Work Ombudsman is making compliance easier for businesses by continually building on the information available on its website.

“Small businesses often don’t have the benefit of in-house human resources and payroll staff, so we place a high priority on assisting them,” she said.

“Equipping people with the information they need helps to create fair and productive workplaces, as well as ensuring a level playing field for all.”

Small businesses can sign up to a regular employer newsletter from the Fair Work Ombudsman with helpful workplace tips and information.

The Fair Work Ombudsman also has a particular focus on ensuring that the workplace rights of young workers and overseas workers are respected.

“Young workers and overseas workers can be vulnerable if they aren’t aware of their workplace rights or are reluctant to complain, so we place a high priority on ensuring they receive their full entitlements,” Ms James said.

Any employee who believes their workplace rights have been compromised is encouraged to get in touch with the Fair Work Ombudsman.

The Fair Work Ombudsman supports compliant, productive and inclusive Australian workplaces.

Employers and employees seeking assistance can visit the website or call the Fair Work Infoline on 13 13 94. An interpreter service is also available on 13 14 50.

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

Sign up to receive the Fair Work Ombudsman’s media releases direct to your email inbox at [www.fairwork.gov.au/mediareleases](http://www.fairwork.gov.au/mediareleases) ([www.fairwork.gov.au/mediareleases](http://www.fairwork.gov.au/mediareleases)) .

Media inquiries:

Nicci de Ryk, Senior Media Adviser

Mobile: 0466 522 004

[nicci.deryk@fwo.gov.au](mailto:nicci.deryk@fwo.gov.au) (<mailto:nicci.deryk@fwo.gov.au>)

**Page reference No: 5233**

## Contact us

Fair Work Online: [www.fairwork.gov.au](http://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.