

## Retailer faces court for allegedly paying Chinese backpacker just \$8 an hour

20 May 2015

An ugg boot retailer will face court for allegedly paying an overseas worker in Sydney just \$8 an hour.

The Chinese national, in her late 20s, was in Australia on a 417 working holiday visa when she was employed as a casual salesperson.

She was allegedly short-changed more than \$4200 over just two months in April and June last year.

The worker was allegedly paid only \$8 an hour to staff pop-up stores at shopping centres at Wetherill Park, Merrylands, Winston Hills and Chester Hill in Sydney's western suburbs.

She was entitled to more than \$22 for normal hours, penalty rates up to \$32 for weekend work and \$43 an hour on public holidays.

The Fair Work Ombudsman announced today it had commenced legal action against Strathfield man Yue Hua Liu and a company in which he is the majority shareholder, Ever Australia Pty Ltd.

The company manufactures and sells ugg boots and other products under the 'Ever UGG' brand.

Fair Work Ombudsman Natalie James says Mr Liu had previously been warned about paying unlawful, low flat rates of pay.

In 2013, Mr Liu was required to back-pay two other overseas workers more than \$9000 after he had similarly paid them just \$8 an hour.

Mr Liu gave an undertaking at the time that he would pay minimum lawful entitlements in future.

He faces maximum penalties of up to \$10,200 per contravention and Ever Australia faces maximum penalties of up to \$51,000 per contravention.

The matter will be heard in the Federal Circuit Court in Sydney.

Ms James says the underpayment of vulnerable overseas workers is a serious matter and she takes a dim view of employers who allegedly continue to flout the law after being educated about their workplace obligations.

Employers and employees seeking assistance can visit [www.fairwork.gov.au](http://www.fairwork.gov.au) or contact the Fair Work Infoline on 13 13 94.

Information to assist people from culturally and linguistically diverse backgrounds has been translated into 27 languages. Overseas workers can call 13 14 50 if they need interpreter services.

The Fair Work Ombudsman has fact sheets tailored to overseas workers and international students on its website.

The Agency has also produced videos in 14 different languages and posted them on YouTube to assist overseas workers understand their workplace rights in Australia.

Ms James says 417 visa-holders have emerged as a strong priority for the Fair Work Ombudsman and their wages and conditions are the subject of a national Inquiry launched last August.

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

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## 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

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