

\$30k back-pay for staff at go-kart tracks

26 November 2015

Twenty-five workers at three go-kart tracks in NSW are to be reimbursed a total of more than \$30,000 after a Fair Work Ombudsman investigation found they were being underpaid.

Go-Karts-Go Australia Pty Ltd short-changed staff at its Nelson Bay, Broadmeadow and Cameron Park tracks between July 1, 2010 and November 16, 2014.

The company inadvertently failed to pay casual loadings and penalty rates applicable under the Amusement, Events and Recreation Award.

Individual underpayments ranged from \$43 to \$7692.

Fair Work inspectors also identified workplace contraventions with respect to the company's record-keeping and pay-slip obligations.

As a result, Go-Karts-Go Australia has been asked to sign an Enforceable Undertaking (EU) with the Fair Work Ombudsman.

As well as reimbursing the underpaid employees, the company must now:

- Engage an external accounting professional to audit its workplace practices for 2015 and 2016,
- Place workplace notices at its work sites explaining the workplace contraventions and actions taken to remedy them,
- Register with the Fair Work Ombudsman's online tool My Account,
- Implement systems and processes to ensure future compliance with workplace laws,
- Arrange training in workplace relations for managers with responsibility for human resources, recruitment and payroll functions, and
- Provide three separate "charity days" for up to 40 participants on behalf of the Starlight Children's Foundation.

Go-Karts-Go has apologised for the contraventions, expressed its "sincere regret" for the conduct and given a commitment that it will not occur again.

Enforceable Undertakings were introduced by legislation in 2009 and the Fair Work Ombudsman has been using them to achieve strong outcomes against companies that breach workplace laws without the need for civil court proceedings.

"They are used where we have formed a view that a breach of the law has occurred, but where the employer has acknowledged this and accepted responsibility and agreed to co-operate and fix the problem," says Fair Work Ombudsman Natalie James.

Ms James encouraged employers who had any uncertainty about whether their workplace practices are appropriate to visit www.fairwork.gov.au or call the Fair Work Infoline for advice on 13 13 94.

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Media inquiries:

Lara O'Toole, Media Adviser

Mobile: 0439 835 855

lara.otoole@fwo.gov.au (<mailto:lara.otoole@fwo.gov.au>)

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