

\$20,000 penalty for ignoring compensation Order

8 October 2015

The Fair Work Ombudsman has again secured a penalty against a former Victorian petrol station operator, this time for ignoring an Order to pay compensation to an unfairly dismissed employee.

The Federal Circuit Court has imposed a \$20,000 fine against Wedderburn Petroleum Pty Ltd, which formerly operated a petrol station at 117 High Street, Wedderburn, north-west of Bendigo.

The company contravened workplace laws by failing to comply with a Fair Work Commission Order to pay \$5000 compensation to an employee.

The Commission ordered the compensation payment last year after finding the employee had been unfairly dismissed in 2013 after working as a console operator and manager for more than two-and-a-half years.

The employee turned to the Fair Work Ombudsman for help 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 Order, but commenced legal action when it was not able to secure cooperation.

In addition to imposing the penalty, the Court has ordered Wedderburn Petroleum to pay the outstanding \$5000 compensation.

Wedderburn Petroleum was last year fined \$123,915 in Court for underpaying two other console operators a total of almost \$50,000. That penalty was also the result of legal action by the Fair Work Ombudsman.

Fair Work Ombudsman Natalie James says the Agency has an important role to play in enforcing Orders issued by the Fair Work Commission.

"Building a culture of compliance with workplace law is important, and employers should be aware that we are prepared to take action where appropriate," she said.

The Wedderburn Petroleum matter is the second Fair Work Ombudsman litigation finalised in Court relating to contraventions of a Fair Work Commission Order to pay unfair dismissal compensation.

In the other case, Melbourne company World Gym Sunshine Pty Ltd and its director Wayne George Mailing were fined almost \$50,000 last year for ignoring an order to pay \$2200 compensation to a young employee.

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.

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) or find us on Facebook www.facebook.com/fairwork.gov.au (<http://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 (www.fairwork.gov.au/mediareleases).

Media inquiries:

Ryan Pedler, Assistant Media Director

Mobile: 0411 430 902

ryan.pedler@fwo.gov.au (<mailto:ryan.pedler@fwo.gov.au>)

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.