

## Another 7-Eleven store faces Court action

7 April 2016

Another 7-Eleven store in Brisbane is facing Court for allegedly short-changing its workers, including international students, thousands of dollars.

The Fair Work Ombudsman has announced legal action against the operators of the 7-Eleven outlet at 80 Vulture Street, West End.

Facing legal proceedings is franchisee Jim Chien-Ching Chang and his company JS Top Pty Ltd for allegedly underpaying eight staff a total of \$19,397.

The store was one of 20 7-Eleven outlets targeted for surprise night-time visits as part of a tri-State operation in September, 2014. The litigation takes to eight the number of 7-Eleven operators to face Court since 2009.

Earlier this year, the Fair Work Ombudsman announced legal proceedings against the operators of three other 7-Eleven outlets in Brisbane. See:

- [More 7-Eleven store operators face Court for allegedly short-changing employees \(www.fairwork.gov.au/about-us/news-and-media-releases/archived-media-releases/2016-media-releases/january-2016/20160114-vipper-viplus-litigation\)](http://www.fairwork.gov.au/about-us/news-and-media-releases/archived-media-releases/2016-media-releases/january-2016/20160114-vipper-viplus-litigation)
- [Another 7-Eleven store faces Court for allegedly short-changing workers over \\$82,000 \(www.fairwork.gov.au/about-us/news-and-media-releases/archived-media-releases/2016-media-releases/january-2016/20160125-mai-litigation\)](http://www.fairwork.gov.au/about-us/news-and-media-releases/archived-media-releases/2016-media-releases/january-2016/20160125-mai-litigation)

It is alleged that Mr Chang paid flat hourly rates as low as \$13 an hour, resulting in significant underpayment of the minimum hourly rate, casual loadings and penalty rates for shift and weekend work.

It is alleged one employee was underpaid \$13,962 between July, 2013 and August, 2014, while the others were underpaid amounts ranging from \$203 to \$1835 for shorter periods of work.

Mr Chang allegedly created false employment records when making false entries into the 7-Eleven head office payroll system. He and his company allegedly also knowingly provided false time-and-wage records to the Fair Work Ombudsman. The false records allegedly misstated the hours of work and rates of pay, which effectively concealed the underpayment to employees.

The alleged underpayments have now been rectified.

The Fair Work Ombudsman is seeking Court Orders for JS Top Pty Ltd to display an in-store notice informing employees of entitlements, to undertake an audit of its compliance with workplace laws and report the results to the Fair Work Ombudsman, and to promptly resolve any future underpayment matters.

A directions hearing is listed in the Federal Circuit Court in Brisbane on May 23. Mr Chang faces maximum penalties of up to \$10,200 per contravention and JS Top Pty Ltd up to \$51,000.

Fair Work Ombudsman Natalie James says the findings of the Agency's national Inquiry into 7-Eleven will be published soon.

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. An interpreter service is available by calling 13 14 50.

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## Contact us

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