

## Sydney restaurant workers back-paid almost \$65,000

22 April 2016

A Canley Heights restaurant has had to back-pay 11 employees almost \$65,000 after the Fair Work Ombudsman found the workers were being short-changed.

The employer was paying kitchen hands, cooks and six waiting staff minimum hourly rates for all hours worked.

The workers were paid flat rates of between \$18.47 and \$19.10 an hour, but they were not being paid penalty rates for weekends or public holidays.

Under the Restaurant Industry Award, they should have been paid between \$23.09 and \$28.65 on weekends and up to \$47.75 on public holidays.

The restaurant was advised of its obligations under the Award after being randomly audited.

While it has now ensured it is compliant, the restaurant has received a Letter of Caution from the Fair Work Ombudsman putting it on notice that further contraventions could result in enforcement action.

Other recent recoveries for employees in Sydney's south-west include:

- \$19,300 for a manufacturing worker in Ingleburn who did not receive his annual leave entitlements on retirement,
- \$7400 for a male worker at a Taren Point food business who was not paid overtime for 20 months, and
- \$5100 for a female administration worker in Bankstown who did not receive entitlements in lieu of notice for termination, annual leave or four days wages.

Fair Work Ombudsman Natalie James says employers must make an effort to understand the relevant Award applicable to their individual workplaces.

While she was encouraged that the employers co-operated with inspectors and promptly reimbursed employees all money owed, she says the individual cases are a timely reminder for others to self-check their own compliance with workplace laws.

Employers who have any uncertainty about their workplace practices should visit [www.fairwork.gov.au](http://www.fairwork.gov.au) or phone the Fair Work Infoline on 13 13 94.

Small businesses can opt to be put through to a priority helpline.

Ms James says the Agency is committed to providing advice that is easy to understand, access and apply.

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## Contact us

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

Fair Work Infoline: 13 13 94

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