

Canberra gym underpays personal trainer

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A qualified personal trainer in Canberra who questioned his wage has been back-paid \$9800 and helped to ensure his workmates are now paid correctly.

The level 4 personal trainer was paid a flat rate of \$21.61 an hour - the equivalent of a level 1 employee - for 19 months.

He should have received a minimum of \$27.45 an hour while conducting personal training sessions and fitness classes and \$25.16 for general gym work, such as reception duties.

The employee also worked up to three "broken shifts" a week where he had less than a 10-hour break between shifts and should have been paid \$49.41 an hour.

He sought assistance from the Fair Work Ombudsman after unsuccessfully trying several times to resolve the matter directly with his employer.

After discussions with the Fair Work Ombudsman, the employer accepted responsibility for misclassifying and underpaying the employee.

The business acted co-operatively and willingly accepted workplace advice from Fair Work officers. It back-paid the employee \$9800 and corrected the pay rates of all other employees.

Fair Work Ombudsman Natalie James says employers need to ensure they understand the wage rates relative to the qualifications and classifications of their employees.

"We have minimum pay rates in Australia, they apply to everyone, and they are not negotiable," Ms James says.

She says it is important that businesses know that they can contact the Fair Work Ombudsman for advice and assistance if they are unsure of their obligations.

Employees and employers can also use the Fair Work Ombudsman's free online tools and resources to check entitlements specific to their workplace.

The Agency's Pay and Conditions Tool (PACT) provides advice about pay, shift, leave and redundancy entitlements. Visit www.calculate.fairwork.gov.au (<http://www.calculate.fairwork.gov.au>) to learn more.

"When we find errors, our preference is to educate employers about their obligations and assist them to put processes in place to ensure the mistakes are not repeated," she says.

Employers with any uncertainty about their workplace practices should visit the Fair Work Ombudsman's website www.fairwork.gov.au or call the Fair Work Infoline on 13 13 94.

Small business operators can opt to be put through to a priority service to assist them.

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>).

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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

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