

Hobart butcher to back-pay apprentice almost \$20k

21 December 2016

An adult apprentice butcher in Hobart who was paid less than \$10 per hour will be back-paid nearly \$20,000 by his former employer, following intervention by the Fair Work Ombudsman.

The worker was underpaid while working at Lindisfarne Village Gourmet Meats, a retail butcher located at Lindisfarne, Hobart, between March, 2015 and April this year.

The Fair Work Ombudsman conducted inquiries after he lodged a request for assistance.

Fair Work inspectors discovered the business had paid the worker standard apprentice wage rates of less than \$10 on weekdays and less than \$12 on Saturdays.

However, having started his apprenticeship over the age of 21, under the Meat Industry Award 2010, he was entitled to adult apprentice rates of up to \$16.10 for ordinary hours, \$20.13 on Saturdays and \$24.15 for the first two hours of overtime.

His annual leave entitlements were also underpaid.

In total, the worker was underpaid \$19,840.

The owner-operators of the business, Robert and Penelope Dureau, told inspectors they had paid the worker according to advice provided by an employment agency and were unaware that higher rates were payable for adult apprentices.

They fully co-operated and have agreed to enter into an Enforceable Undertaking (EU) with the Fair Work Ombudsman aimed at encouraging compliance with workplace laws.

Under the EU, Mr and Mrs Dureau have agreed to back-pay the worker in full over a period of 12 months under a payment plan and to commission professional audits of their business's compliance with workplace laws over the next two years and rectify any underpayments discovered.

They have also agreed to display a workplace notice detailing their contraventions and take steps to comply with workplace laws in future, including registering with the Fair Work Ombudsman's My Account portal.

Acting Fair Work Ombudsman Michael Campbell says the matter serves a reminder that employers are responsible for paying correct minimum entitlements and need to ensure they are obtaining advice from reliable sources.

"Apprentices, like any worker starting a new career, can be particularly vulnerable, and we place a high importance on ensuring they are paid their full lawful entitlements," he said.

The Fair Work Ombudsman offers a range of tools and resources for employers at www.fairwork.gov.au including the Pay and Conditions Tool (PACT) to assist business owners to calculate pay rates applicable to their business and templates for pay slips and time-and-wages sheets.

Employers uncertain about their obligations can also call the Fair Work Infoline on 13 13 94. Small businesses calling the Infoline can opt to be put through to a priority service for assistance. An interpreter service is available on 13 14 50.

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Download the Lindisfarne Village Gourmet Meats Enforceable Undertaking (DOCX 150.2KB) (www.fairwork.gov.au/ArticleDocuments/971/enforceable-undertaking-lindisfarne-village-gourmet-meats-redacted.docx.aspx) (PDF 1.1MB) (www.fairwork.gov.au/ArticleDocuments/971/enforceable-undertaking-lindisfarne-village-gourmet-meats-redacted.pdf.aspx)

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Fair Work Online: www.fairwork.gov.au

Fair Work Infoline: 13 13 94

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For TTY: 13 36 77. Ask for the Fair Work Infoline 13 13 94

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