

Barwon Heads manager back-paid \$19,000

9 February 2016

The former manager of a business at Barwon Heads in Victoria has been back-paid \$19,000 after intervention by the Fair Work Ombudsman.

The employee was paid a flat weekly salary that was not sufficient to cover his penalty rates or entitlements for working on public holidays.

In addition, the employee was not paid-out more than 300 hours of accumulated annual leave when his employment ended.

The business also failed to keep proper records for the employee.

Fair Work inspectors discovered the underpayment when they investigated a request for assistance from the former employee.

In a separate case, a recent random audit at a Geelong eatery has revealed that two employees were underpaid a total of \$6600.

One of the workers was an Indian national employed as a cook on a 457 skilled worker visa. She was underpaid \$4700.

After being contacted by Fair Work inspectors, both businesses back-paid their employees in full without the need for enforcement action.

However, Fair Work Ombudsman Natalie James says employers must ensure they are aware of the minimum hourly wage rates and penalty rates that apply to their employees.

“Simply putting an employee on a salary or a flat rate does not relieve an employer of the obligation to ensure that all Award entitlements are being met,” Ms James said.

“Employers also need to be aware that they must maintain proper employment records and issue pay-slips on a timely basis.”

The Fair Work Ombudsman recovered \$22.3 million for 11,613 underpaid workers nationally in the 2014-15 financial year.

Of this, \$7.59 million was recovered for 4809 workers in Victoria, including \$268,000 for 83 workers in the Geelong area.

Employers and employees can visit www.fairwork.gov.au or phone the Fair Work Infoline on 13 13 94. An interpreter service is available by calling 13 14 50.

Tools and resources available on the website include templates for time-and-wages records, an online learning centre and a Pay and Conditions Tool (PACT) that provides advice about pay, shift, leave and redundancy entitlements.

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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