

Whyalla cleaning business to face Court

6 January 2016

The operator of a cleaning business in regional South Australia is facing the Federal Circuit Court for allegedly underpaying eight employees more than \$7000.

The Fair Work Ombudsman has commenced legal action against Sharna Harvey, who operates 'Shan's Cleaning Services' at Whyalla.

Ms Harvey allegedly breached workplace laws by failing to respond to a Compliance Notice to back-pay eight employees \$7673 in outstanding wages and entitlements.

The employees were allegedly underpaid for cleaning work at residential and commercial properties between January and April, 2015. One worker also performed clerical duties.

Five of the workers were allegedly paid nothing at all.

In July, 2015, the Fair Work Ombudsman served Ms Harvey with a Compliance Notice requiring her to rectify the alleged underpayments within 19 days, but it was ignored.

Under the Fair Work Act, business operators must adhere to Compliance Notices or make a Court application for a review if they are seeking to challenge a Notice.

Record-keeping and pay-slip laws were allegedly also breached.

Fair Work Ombudsman Natalie James says inspectors made efforts to resolve the matter by agreement, but had not received sufficient co-operation.

"We prefer to assist employers to rectify inadvertent non-compliance issues, but we are prepared to take legal action against employers who refuse to co-operate," she said.

Ms Harvey faces maximum penalties of up to \$5100 per contravention.

The Fair Work Ombudsman will seek a Court Order for Ms Harvey to pay the employees the amounts that are allegedly owed, plus interest.

A directions hearing is scheduled for the Federal Circuit Court in Adelaide on February 3.

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

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Fair Work Online: www.fairwork.gov.au

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Contact the Translating and Interpreting Service (TIS) on 13 14 50

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Call through the National Relay Service (NRS):

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

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