

## Coffs Harbour truckies allegedly underpaid \$143k

11 January 2016

The former owner-operator of a transport company is facing Court for allegedly short-changing 12 truck drivers on the NSW North Coast more than \$143,000 and using false records to try to disguise the underpayments.

The Fair Work Ombudsman has commenced legal proceedings against Woolgoolga man Sumerdeep Singh in the Federal Circuit Court.

Mr Singh's now defunct company, Sumer Bagri Pty Ltd, allegedly underpaid the drivers more than \$143,000 between 2011 and 2014.

The drivers, who delivered groceries in and around Coffs Harbour, were allegedly told they would be paid flat hourly rates of between \$17 and \$23 Monday to Sunday.

The drivers were allegedly underpaid their minimum hourly rates, casual loadings, and penalty rates for weekend, overtime and public holiday work.

At the time, Mr Singh's company transported groceries ordered online under a contract it had with Linfox Australia Pty Ltd, which had been contracted by Woolworths Ltd.

The Fair Work Ombudsman says the contract price paid by Woolworths to Linfox and the sub-contract price paid by Linfox to Sumer Bagri were sufficient for Mr Singh's company to pay minimum lawful entitlements.

The matter came to the attention of the Fair Work Ombudsman after a former driver contacted the Agency seeking assistance.

In response to a Notice to Produce records, Mr Singh allegedly provided Fair Work inspectors with falsified time records that made it appear employees had received higher pay rates than was actually the case.

The false records allegedly misstated the number of hours worked by employees and showed Mr Singh had himself performed driving duties during a period when he was actually in India.

Fair Work Ombudsman Natalie James says a decision was made to commence litigation because of the seriousness of the alleged contraventions.

Mr Singh faces maximum penalties of between \$3400 and \$10,200 per contravention. The Fair Work Ombudsman will seek a Court Order for any penalties imposed to be paid to the allegedly underpaid workers.

The Fair Work Ombudsman is also seeking a Court Order requiring Mr Singh to complete the 'Hiring employees' training course on the Fair Work Ombudsman's website.

A penalty hearing is listed for April 12 in the Federal Circuit Court in Sydney.

Employers and employees seeking assistance can visit [www.fairwork.gov.au](http://www.fairwork.gov.au) or contact the Fair Work Infoline on 13 13 94. A free interpreter service is available by calling 13 14 50.

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](http://twitter.com/fairwork_gov_au)) or find us on Facebook [www.facebook.com/fairwork.gov.au](https://www.facebook.com/fairwork.gov.au) (<http://www.facebook.com/fairwork.gov.au>).

Sign up to receive the Fair Work Ombudsman's media releases direct to your email inbox at [www.fairwork.gov.au/mediareleases](http://www.fairwork.gov.au/mediareleases) ([www.fairwork.gov.au/mediareleases](http://www.fairwork.gov.au/mediareleases)).

Media inquiries:

Ryan Pedler, Assistant Media Director

Mobile: 0411 430 902

[ryan.pedler@fwo.gov.au](mailto:ryan.pedler@fwo.gov.au) (<mailto:ryan.pedler@fwo.gov.au>)

## Contact us

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

---

The Fair Work Ombudsman is committed to providing advice that you can rely on. The information contained on this website is general in nature. If you are unsure about how it applies to your situation you can call our Infoline on 13 13 94 or speak with a union, industry association or workplace relations professional. Visitors are warned that this site may inadvertently contain names or pictures of Aboriginal and Torres Strait Islander people who have recently died.