

Strip club hospitality staff short-changed

15 January 2016

Hospitality workers at a Melbourne strip club have been reimbursed thousands of dollars after an investigation by the Fair Work Ombudsman found they were being underpaid.

The 22 employees, who served food and drinks at the adult entertainment venue, were short-changed a total of \$12,600 because they were paid flat hourly rates between \$23.50 and \$23.85.

While the club paid above the standard \$21.31 required under the Hospitality Industry Award, it was not enough to cover applicable penalty rates.

The mostly casual employees should have been paid up to \$25.58 an hour for work on Saturdays, \$29.84 on Sundays and \$48.65 on public holidays.

The business made an incorrect assumption that paying staff an annual salary on a pro-rata basis would be sufficient to cover their penalty rate entitlements.

Fair Work Ombudsman Natalie James says the strip club was randomly audited as part of a recent pro-active hospitality campaign conducted by the Agency.

The club has been asked to review its wage records for the past 12 months to ensure no other current or former employees have been underpaid.

In a separate matter, the Fair Work Ombudsman has discovered that eight overseas workers, including visa-holders, were short-changed almost \$13,000 by a cafe in Melbourne's CBD.

The shop manager and seven sandwich hands were paid flat rates as little as \$16 an hour over a period of 10 months.

They were underpaid their standard hourly rate, overtime, weekend and public holiday penalty rates.

The employer also admitted issuing incomplete time-and-wage records and pay-slips.

Under the Fast Food Industry Award, they were entitled to a standard hourly rate of \$19.59 and up to \$43.10 on public holidays.

Fair Work inspectors determined that two workers had been underpaid almost \$4000 each, while underpayments for the other six workers ranged from \$254 to \$1836.

The employer claimed he had not been aware that minimum hourly rates and penalty rates applied.

Other recent recoveries in the Melbourne CBD include:

- \$10,200 for eight retail workers who were underpaid their minimum hourly rate, casual, weekend and public holiday penalty rates, and
- \$10,700 for a 49-year-old female architect who was underpaid a month's wages.

Employers and employees seeking assistance can go to www.fairwork.gov.au or call the Fair Work Infoline on 13 13 94. A free interpreter service is available on 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) or find us on Facebook 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 (www.fairwork.gov.au/mediareleases).

Media inquiries:

Lara O'Toole, Media Adviser

Mobile: 0439 835 855

lara.otoole@fwo.gov.au (<mailto:lara.otoole@fwo.gov.au>)

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

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.