

Sydney labour-hire operator allegedly underpaid 19 overseas workers more than \$45,000

29 January 2016

The operator of a Sydney labour-hire company is facing Court for allegedly underpaying 19 overseas workers more than \$45,000.

The Fair Work Ombudsman has commenced proceedings against Sydney woman Yan Hu and the company she operates, Global Express Consultancy Pty Ltd, in the Federal Circuit Court in Sydney.

The employees were allegedly underpaid between February, 2014 and May, 2015, when working at three factories in Sydney.

The employees, from Taiwan and Hong Kong, were in Australia on 417 working holiday visas.

Ms Hu's company supplied the employees to work at:

- A Taren Point factory operated by Banquet Desserts Pty Ltd, which supplies cheesecakes and muffins to Coles and Woolworths,
- A factory at Mascot operated by Vienna Schubert Estia Pty Ltd, which supplies patisserie products to organisations including hospitality businesses, airlines and schools, and
- A Kirrawee factory operated by South Pack Laboratories Pty Ltd, which operates a business packing vitamins and other non-prescription complementary medicines.

The employees were allegedly underpaid their minimum hourly rates, casual loadings, Saturday penalty rates and overtime rates.

It is alleged that some of the employees also had "bonds" of up to \$300 unlawfully deducted from their wages. Pay-slip laws were allegedly also contravened.

Fair Work inspectors investigated after employees contacted the Agency for assistance.

Fair Work Ombudsman Natalie James says a decision was made to commence litigation because the alleged underpayment was not rectified and vulnerable overseas workers were involved.

Ms Hu faces penalties of up to \$10,200 per contravention and Global Express Consultancy faces penalties of up to \$51,000 per contravention.

The Fair Work Ombudsman is also seeking Court Orders for the company to back-pay the employees and to commission an audit of its compliance with workplace laws.

A directions hearing is listed for February 5 in the Federal Circuit Court in Sydney.

Employers and employees seeking assistance can visit 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.

Media inquiries:

Annie Lawson, Senior media adviser

Mobile: 0466 522 004

annie.lawson@fwo.gov.au (<mailto:annie.lawson@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

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