

## Worker wage review follows underpayments

26 July 2016

A telecommunications company at Wollongong in NSW faces a series of audits after a Fair Work Ombudsman investigation found it had underpaid a call centre worker more than \$3000.

Illawarra Communications Pty Ltd underpaid the worker's casual loadings, overtime rates and penalty rates for weekend, public holiday and night work over a seven-month period last year.

The underpayment was largely the result of the company mistakenly applying rates from an expired state Award, when it should have applied the Contract Call Centres Award.

Fair Work inspectors discovered the underpayment when they investigated a request for assistance from the employee. Seven other long-serving Illawarra Communications call centre employees also sought assistance.

This raised concerns that the entitlements of other Illawarra Communications call centre employees may also have been underpaid.

Illawarra Communications has co-operated with the investigation and agreed to back-pay \$3098 to the initial complainant.

The company, which currently has about 20 call centre employees, has entered into an Enforceable Undertaking (EU) with the Fair Work Ombudsman aimed at encouraging behavioural change.

Under the EU, Illawarra Communications has agreed to commission an external professional audit of its payment of current and former call centre employees dating back to January 2015 and to rectify any underpayments identified.

It will also commission audits of its pay practices in 2017 and 2018 and rectify any issues.

In addition, the company will organise specialist workplace relations training for managers, register with the My Account service at [www.fairwork.gov.au](http://www.fairwork.gov.au), apologise to the underpaid worker and display workplace notices and a public notice detailing its contraventions.

Fair Work Ombudsman Natalie James says the matter illustrates the importance of employers ensuring they take the time to check which Award covers each of their employees and the penalty rates that apply.

Employers seeking advice on meeting their workplace obligations are encouraged to visit [www.fairwork.gov.au](http://www.fairwork.gov.au) or contact the Fair Work Infoline on 13 13 94. A dedicated Small Business Helpline is available at request.

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