

## Roadhouse operator faces Court for allegedly withholding paid parental leave funding

8 June 2016

The former operator of a roadhouse in regional NSW will face Court for allegedly withholding more than \$11,000 in Government-funded parental leave payments it was required to pay to a visa-holder, the Fair Work Ombudsman alleges.

The Fair Work Ombudsman has commenced legal proceedings against Kulpreet Singh, former operator and part-owner of the United Petroleum roadhouse at Marrangaroo, near Lithgow.

Also facing Court is Noorpreet Pty Ltd. Mr Singh is a director of the company.

The employee was working as a chef at the restaurant on a 487 skilled regional sponsored visa at the time she had a child. She is now an Australian citizen.

The Department of Human Services (DHS) transferred \$11,538 to Noorpreet in April, 2015 for the company to transfer to the employee following the birth of her child.

She was entitled to the funds under the Commonwealth Government's Paid Parental Leave scheme.

After the employee complained to DHS that her employer had not paid her the money, the matter was referred to the Fair Work Ombudsman.

Mr Singh allegedly made a false document purporting to show that he paid the parental leave funds in cash to the employee's husband in May, 2015.

The Fair Work Ombudsman challenged the veracity of the document.

Mr Singh and Noorpreet transferred the money to the employee in October last year, more than five months after it was due.

Fair Work Ombudsman Natalie James says employers who contravene the law and deliberately mislead investigators can expect to face legal action.

It is the first time the Fair Work Ombudsman has taken legal action against an employer for failing to transfer Paid Parental Leave funds to an employee.

Mr Singh and Noorpreet Pty Ltd face penalties of up to \$10,200 and \$51,000 respectively for one contravention of the Paid Parental Leave Act relating to the alleged failure to provide the parental leave funds to the employee within the required time frame.

In addition, Mr Singh and Noorpreet Pty Ltd face penalties of up to \$5100 and \$25,500 per contravention for a number of alleged breaches of the Fair Work Act relating to records and pay- slips.

A directions hearing is listed in the Federal Circuit Court in Sydney for June 15.

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

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