

## 11 Perth employers back-pay \$192,000 to 86 workers

15 March 2016

Workers at 11 Perth businesses have been back-paid a total of \$192,000 following intervention by the Fair Work Ombudsman.

The 86 employees worked for businesses in a range of industries at Welshpool, Baldivis, Wangara, Claremont, Kwinana, Jandakot, Rockingham and Fremantle.

The largest back-payment was for 54 apprentices, mostly juniors, who were underpaid almost \$58,000 by a group training organisation.

All but eight of the apprentices had missed out Saturday penalty rates for five years because their employer had used an outdated payroll system.

The company also breached workplace laws by deducting course fees and text book costs from the pay packets of some apprentices.

However, Fair Work Ombudsman Natalie James says Fair Work inspectors are confident the mistakes were inadvertent.

She says it was operating under an old workplace agreement which was no longer valid after the relevant Modern Award was introduced in 2010.

“We provided advice to the employer on how to reimburse the apprentices and adopt measures to ensure it doesn’t happen again,” Ms James said.

A third-year apprentice received the highest back-payment of \$3990.

The business has received a formal Letter of Caution about its non-compliance.

Other recent recoveries for employees around Perth include:

- \$26,300 for a sales manager in Welshpool who did not receive annual leave and long service leave entitlements when his employment ended,
- \$19,900 for a supervisor and a labourer in Welshpool who did not receive their annual leave entitlements when they resigned,
- \$16,500 for three manufacturing workers, including an employer-sponsored visa-holder from Asia, for unpaid redundancy payments,
- \$15,000 for a manager and factory worker in Wangara who were not paid their termination entitlements, including annual leave,
- \$12,600 for three graduate accountants who had been underpaid their minimum hourly rates,
- \$11,300 for a café manager who was owed payment-in-lieu for working on her rostered days off for eight months,
- \$8800 for an operations manager whose interstate relocation costs were deducted from his pay without written permission,
- \$8300 for 13 casual security guards working who were paid a flat rate of \$25 an hour when they should have received \$28.49 for night shift and up to \$43.70 at weekends,
- \$8200 for five beauty salon workers who were paid a flat rate of \$17 an hour when they should have received \$19.44 on weekdays and up to \$38.88 at weekends, and
- \$7200 for a junior metal worker paid \$10 an hour instead of up to \$16.32 on weekdays and up to \$20 an hour instead of Saturday penalties of up to \$32.64.

Ms James says employers must make an effort to ensure they understand the minimum wages applicable to their workplace.

“If employers are paying an adult worker less than \$17.29 an hour for normal hours worked, they should check with us immediately,” she said.

“Minimum pay rates are non-negotiable and they apply to everyone regardless of nationality and visa status.”

Ms James encouraged employees and employers who had any uncertainty about their workplace practices to visit [www.fairwork.gov.au](http://www.fairwork.gov.au) or call the Infoline 13 13 94 for advice.

A free interpreter service is available on 13 14 50.

The Fair Work Ombudsman’s Pay and Conditions Tool (PACT) provides advice about pay, shift, leave and redundancy entitlements

at [calculate.fairwork.gov.au](http://calculate.fairwork.gov.au)

The tool provides a tailored outcome about the status of a worker's entitlements according to their age, position and industry.

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## Contact us

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Fair Work Infoline: 13 13 94

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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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