

Taiwanese backpackers short-changed packing infant formula for lucrative Chinese market

21 March 2016

Two Taiwanese backpackers working for a dairy company were short-changed almost \$7400 over three months, a Fair Work Ombudsman investigation has found.

The casual workers, in Australia on 417 working holiday visas, were underpaid \$3696 each while packing infant formula destined for the lucrative Chinese market.

They were paid a flat rate of \$15 an hour at the Toora, South Gippsland factory of Viplus Dairy Pty Ltd.

They should have been paid \$21.09 for normal hours worked, but the company told the Fair Work Ombudsman that in addition to the \$15, it provided the workers with free accommodation and utilities.

The workers, who have since returned to Taiwan, were underpaid while working at the factory for 92 days from January 12 to April 14 last year.

The Fair Work Ombudsman investigated the after the couple, who spoke limited English and communicated with Fair Work inspectors via an interpreter, contacted the Agency in July last year.

Viplus Dairy has now signed an Enforceable Undertaking to encourage behavioural change and ensure future compliance with its workplace obligations.

Fair Work Ombudsman Natalie James says the employer co-operated with the investigation, repaid the employees and has revised its workplace practices.

She said all employees working in Australia, including visa-holders, were entitled to minimum wages which were not negotiable.

She encouraged employers with any uncertainty about their workplace obligations to visit the Fair Work Ombudsman website at www.fairwork.gov.au or call the Fair Work Infoline on 13 13 94 for advice.

An interpreter service is available by calling 13 14 50, and information on the website is translated into 27 languages.

The Fair Work Ombudsman currently has a national Inquiry into the wages and conditions of 417 working holiday visa-holders in Australia.

The Agency is now receiving more requests for assistance from visa-holders than ever before, with requests from visa-holders accounting for almost 12 per cent of all requests lodged last financial year.

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>).

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- [Enforceable Undertaking - Viplus Dairy Pty Ltd - Redacted \(DOCX 149.7KB\)](http://www.fairwork.gov.au/ArticleDocuments/884/enforceable-undertaking-viplus-dairy-pty-dtd-redacted.docx.aspx) (www.fairwork.gov.au/ArticleDocuments/884/enforceable-undertaking-viplus-dairy-pty-dtd-redacted.docx.aspx) (PDF 356.9KB) (www.fairwork.gov.au/ArticleDocuments/884/enforceable-undertaking-viplus-dairy-pty-dtd-redacted.pdf.aspx)

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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.