

Retail worker at Colac paid \$11 an hour

15 November 2016

A retail worker at Colac in Victoria's south-west region has been back-paid \$13,800 following intervention by the Fair Work Ombudsman.

The part-time employee was paid just \$11 an hour over a 12-month period.

He should have received a minimum hourly rate of \$20.13 under the General Retail Industry Award.

Fair Work Ombudsman Natalie James says the worker's employer avoided enforcement action by promptly rectifying the underpayment after being issued with a Compliance Notice.

"We've put this business on notice that it is unlawful to undercut minimum lawful pay rates, even if an employee says they agree to it," Ms James said.

Other recent recoveries in Victoria's south-west include:

- \$14,835 for seven employees at a Warrnambool services business who were underpaid minimum lawful wage rates as a result of the employer not updating pay rates following an Annual Wage Review decision, and
- \$7580 for three Warrnambool manufacturing workers who were underpaid their minimum hourly rates and overtime.

All underpayments were discovered during proactive Fair Work Ombudsman audits.

Ms James says most underpayments identified by the Agency are inadvertent and the result of employers failing to check their minimum obligations under workplace laws.

"When we find errors, our preference is to educate employers about their obligations and assist them to put processes in place to ensure the mistakes are not repeated," she said.

"However, we will take enforcement action against employers with significant non-compliance issues where we believe it is in the public interest to do so.

"It is important that businesses, particularly small businesses, know that they can contact the Fair Work Ombudsman for advice if they are unsure about their obligations."

The Fair Work Ombudsman recovered a total of \$185,000 for 156 underpaid employees throughout South-west Victoria last financial year.

Employers and employees seeking assistance can visit at www.fairwork.gov.au or call the Fair Work Infoline on 13 13 94. An interpreter service is available on 13 14 50.

The Fair Work Infoline offers a priority service to small business callers whose leading concerns are about wages, conditions, termination of employment, leave and entitlements.

Small business operators can also use a suite of tools and resources on the Fair Work Ombudsman's website, including the Pay and Conditions Tool (PACT) which provides advice about pay, shift, leave and redundancy entitlements.

Follow Fair Work Ombudsman Natalie James on Twitter [@NatJamesFWO](https://twitter.com/NatJamesFWO) , the Fair Work Ombudsman [@fairwork_gov_au](https://twitter.com/fairwork_gov_au) or find us on Facebook www.facebook.com/fairwork.gov.au .

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Media inquiries:

Eithne Johnston, Media Adviser

Mobile: 0439 835 855

eithne.johnston@fwo.gov.au (<mailto:eithne.johnston@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

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.