

Court action after young worker allegedly underpaid \$26,000 in just three months

7 September 2016

The Fair Work Ombudsman has commenced legal action against a Victorian plumbing business, alleging a young employee was short-changed more than \$26,000 over a period of just three months.

Facing the Federal Circuit Court is Melbourne man Michael Patrick Pulis and his business Pulis Plumbing Pty Ltd.

A 20-year-old plumber's labourer was allegedly underpaid a total of \$26,882 for work performed in the Melbourne, Geelong and Bendigo areas between September 12 and December 15, 2014.

Mr Pulis allegedly paid the employee apprentice rates of \$12.18 an hour for a 40-hour week, despite never signing the employee up to an apprenticeship.

Under the applicable Enterprise Agreement, the employee should have been paid rates of \$37.08 for ordinary hours and up to \$74.16 for overtime work.

Leave and termination entitlements and meal and travel allowances were allegedly also underpaid.

The Fair Work Ombudsman says it has previously advised Mr Pulis that only registered apprentices could be paid apprentice rates.

Following a prior complaint to the Fair Work Ombudsman, the company agreed to back-pay an employee \$300.

Mr Pulis and his company allegedly also breached record-keeping and pay-slip laws and failed to comply with a Notice to Produce records issued by a Fair Work inspector.

Fair Work Ombudsman Natalie James says legal action has been commenced because of Mr Pulis' refusal to co-operate and rectify the alleged underpayment and because he had previously been put on notice of the need to comply with workplace laws.

"We treat underpayment of young workers particularly seriously and we are concerned about the treatment of vulnerable young people seeking to become qualified in a trade," Ms James said.

The Fair Work Ombudsman alleges Mr Pulis and his company committed multiple contraventions of workplace laws. Pulis Plumbing Pty Ltd faces penalties of up to \$51,000 per contravention, while Mr Pulis faces maximum penalties of up to \$10,200 per contravention.

The Fair Work Ombudsman is also seeking a Court Order requiring Mr Pulis and the company to back-pay the employee in full, plus superannuation and interest. A directions hearing is scheduled for the Federal Circuit Court in Melbourne on October 31.

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

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Media inquiries:

Ryan Pedler, Assistant Media Director

Mobile: 0411 430 902

ryan.pedler@fwo.gov.au (<mailto:ryan.pedler@fwo.gov.au>)

Contact us

Fair Work Online: www.fairwork.gov.au

Fair Work Infoline: 13 13 94

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