

2013 - 2014 enforceable undertakings

Daci & Daci Bakers Pty Ltd

Date of undertaking: 25 June 2014

We determined that 94 employees of a Hobart based wholesale and retail bakery/restaurant had been underpaid their minimum hourly pay rate, casual loadings, penalty rates for weekends, evening and public holiday work and overtime rates. We also identified contraventions relating to the issuing of pay slips, staff rostering and record-keeping practices. We found they were underpaid \$77,921.72.

Copy of undertaking:

- [Enforceable Undertaking Daci & Daci Bakers Pty Ltd \(DOCX 112.1KB\)](http://www.fairwork.gov.au/ArticleDocuments/837/final-eu-daci-and-daci-redacted.docx.aspx) (www.fairwork.gov.au/ArticleDocuments/837/final-eu-daci-and-daci-redacted.docx.aspx) (PDF 2.2MB) (www.fairwork.gov.au/ArticleDocuments/837/daci-and-daci-enforceable-undertaking.pdf.aspx)

Media release:

- [Hobart staff share \\$80,000 back-pay](http://www.fairwork.gov.au/about-us/news-and-media-releases/archived-media-releases/2014-media-releases/september-2014/20140911-daci-daci-eu-presser) (www.fairwork.gov.au/about-us/news-and-media-releases/archived-media-releases/2014-media-releases/september-2014/20140911-daci-daci-eu-presser)

St Helens RSL

Date of undertaking: 30 June 2014

We determined that 11 employees at St Helens RSL club in Tasmania were underpaid over \$31,000. The underpayments related to failing to provide meal-breaks for staff, among other contraventions.

Copy of undertaking:

- [Enforceable Undertaking St Helens RSL \(DOCX 113.6KB\)](http://www.fairwork.gov.au/ArticleDocuments/722/st-helens-enforceable-undertaking.docx.aspx) (www.fairwork.gov.au/ArticleDocuments/722/st-helens-enforceable-undertaking.docx.aspx) (PDF 3.2MB) (www.fairwork.gov.au/ArticleDocuments/722/st-helens-enforceable-undertaking.pdf.aspx)

Media release:

- [St Helens employees share \\$31,000 back-pay after staff report lack of meal breaks](http://www.fairwork.gov.au/about-us/news-and-media-releases/archived-media-releases/2014-media-releases/july-2014/20140721-st-helens-eu-presser) (www.fairwork.gov.au/about-us/news-and-media-releases/archived-media-releases/2014-media-releases/july-2014/20140721-st-helens-eu-presser)

Samdoo Corporation Pty Ltd

Date of undertaking: 13 June 2014

We determined that 79 employees working in a hotel, shopping complex and retail liquor stores were underpaid. The underpayment amounted to over \$140 000 in total.

Copy of undertaking:

- [Enforceable Undertaking Samdoo Corporation Pty Ltd \(DOCX 97.9KB\)](http://www.fairwork.gov.au/ArticleDocuments/722/enforceable-undertaking-samdoo.docx.aspx) (www.fairwork.gov.au/ArticleDocuments/722/enforceable-undertaking-samdoo.docx.aspx) (PDF 2.3MB) (www.fairwork.gov.au/ArticleDocuments/722/enforceable-undertaking-samdoo.pdf.aspx)

Media release:

- [Brisbane staff share \\$140,000 back-pay](http://www.fairwork.gov.au/about-us/news-and-media-releases/archived-media-releases/2014-media-releases/august-2014/20140814-samdoo-eu-presser) (www.fairwork.gov.au/about-us/news-and-media-releases/archived-media-releases/2014-media-releases/august-2014/20140814-samdoo-eu-presser)

Senan Pty Ltd

Date of undertaking: 1 May 2014

We determined that 16 employees of a Sydney based coffee shop had been underpaid their minimum pay rate, casual loadings,

weekend penalty rates and accrued entitlements upon termination. The coffee shop also failed to keep records. We found they were underpaid \$16,105.82.

Copy of undertaking:

- [Enforceable Undertaking Senan Pty Limited \(PDF 1017.4KB\) \(www.fairwork.gov.au/ArticleDocuments/722/senan-enforceable-undertaking-redacted.pdf.aspx\)](http://www.fairwork.gov.au/ArticleDocuments/722/senan-enforceable-undertaking-redacted.pdf.aspx)
- [Enforceable Undertaking Senan Pty Limited \(DOCX 107.6KB\) \(www.fairwork.gov.au/ArticleDocuments/722/senan-enforceable-undertaking-redacted.docx.aspx\)](http://www.fairwork.gov.au/ArticleDocuments/722/senan-enforceable-undertaking-redacted.docx.aspx)

Media release:

- [Coffee shop pays compensation to overseas worker sacked for querying wages \(www.fairwork.gov.au/about-us/news-and-media-releases/archived-media-releases/2014-media-releases/july-2014/20140729-senan-eu-presser\)](http://www.fairwork.gov.au/about-us/news-and-media-releases/archived-media-releases/2014-media-releases/july-2014/20140729-senan-eu-presser)

Jorgensen Property Services Pty Ltd

Date of undertaking: 24 April 2014

We determined that 16 cleaners in Melbourne failed to receive the minimum pay rate, penalty rates for weekend work and public holidays or overtime. We found they were underpaid \$50,257.20.

Copy of undertaking:

- [Enforceable Undertaking Jorgensen Property Services Pty Ltd \(DOCX 111.2KB\) \(www.fairwork.gov.au/ArticleDocuments/722/enforceable-undertaking-jorgensen-property-services-pty-ltd.docx.aspx\)](http://www.fairwork.gov.au/ArticleDocuments/722/enforceable-undertaking-jorgensen-property-services-pty-ltd.docx.aspx)
- [Enforceable Undertaking Jorgensen Property Services Pty Ltd \(PDF 1.2MB\) \(www.fairwork.gov.au/ArticleDocuments/722/enforceable-undertaking-jorgensen-property-services-pty-ltd.pdf.aspx\)](http://www.fairwork.gov.au/ArticleDocuments/722/enforceable-undertaking-jorgensen-property-services-pty-ltd.pdf.aspx)

Media release:

- [Melbourne cleaners to get \\$50,000 back-pay \(www.fairwork.gov.au/about-us/news-and-media-releases/archived-media-releases/2014-media-releases/june-2014/20140605-jorgensen-eu\)](http://www.fairwork.gov.au/about-us/news-and-media-releases/archived-media-releases/2014-media-releases/june-2014/20140605-jorgensen-eu)

Fleet Cleaning Pty Ltd

Date of undertaking: 11 April 2014

We determined that former and current employees of a Sydney based cleaning company had been underpaid. We found there was an underpayment of \$40,219.43.

Copy of undertaking:

- [Enforceable Undertaking Fleet Cleaning Pty Ltd \(DOCX 113.1KB\) \(www.fairwork.gov.au/ArticleDocuments/722/enforceable-undertaking-fleet-cleaning-pty-ltd.docx.aspx\)](http://www.fairwork.gov.au/ArticleDocuments/722/enforceable-undertaking-fleet-cleaning-pty-ltd.docx.aspx)
- [Enforceable Undertaking Fleet Cleaning Pty Ltd \(PDF 1.9MB\) \(www.fairwork.gov.au/ArticleDocuments/722/enforceable-undertaking-fleet-cleaning-pty-ltd.pdf.aspx\)](http://www.fairwork.gov.au/ArticleDocuments/722/enforceable-undertaking-fleet-cleaning-pty-ltd.pdf.aspx)

Media release:

- [Crackdown on business which underpaid dozens of cleaners almost \\$60,000 \(www.fairwork.gov.au/about-us/news-and-media-releases/archived-media-releases/2014-media-releases/april-2014/20140429-fleet-cleaning\)](http://www.fairwork.gov.au/about-us/news-and-media-releases/archived-media-releases/2014-media-releases/april-2014/20140429-fleet-cleaning)

Mizuno Trading Company Pty Ltd

Date of undertaking: 21 March 2014

We determined that 5 casual employees in Cairns were paid below the minimum wage. We found they were underpaid \$47,724.19.

Copy of undertaking:

- [Enforceable Undertaking Mizuno Trading Company Pty Ltd \(PDF 1.3MB\) \(www.fairwork.gov.au/ArticleDocuments/722/enforceable-undertaking-mizuno-trading-company-pty-ltd.pdf.aspx\)](http://www.fairwork.gov.au/ArticleDocuments/722/enforceable-undertaking-mizuno-trading-company-pty-ltd.pdf.aspx)

Media release:

- [Cairns sushi bar to back-pay almost \\$50,000 to five Japanese, Korean employees \(www.fairwork.gov.au/about-us/news-and-media-releases/archived-media-releases/2014-media-releases/april-2014/20140407-mizuno-eu\)](http://www.fairwork.gov.au/about-us/news-and-media-releases/archived-media-releases/2014-media-releases/april-2014/20140407-mizuno-eu)

KYB Pty Ltd

Date of undertaking: 7 March 2014

We determined that 7 staff in an Asian grocery store were underpaid over \$23 000.

Copy of undertaking:

- [Enforceable Undertaking KYB Pty Ltd \(PDF 4.9MB\) \(www.fairwork.gov.au/ArticleDocuments/722/Enforceable-Undertaking-KYB-Pty-Ltd.pdf.aspx\)](http://www.fairwork.gov.au/ArticleDocuments/722/Enforceable-Undertaking-KYB-Pty-Ltd.pdf.aspx)

Media release:

- [Company reimburses international students and apologises for underpaying their wages \(www.fairwork.gov.au/about-us/news-and-media-releases/archived-media-releases/2014-media-releases/march-2014/company-reimburses-international-students-and-apologises-for-underpaying-their-wages\)](http://www.fairwork.gov.au/about-us/news-and-media-releases/archived-media-releases/2014-media-releases/march-2014/company-reimburses-international-students-and-apologises-for-underpaying-their-wages)

Centenary Suburbs Sales and Management Pty Ltd

Date of undertaking: 31 January 2014

We determined that 2 employees in QLD were incorrectly engaged as independent contractors and should have been employees. We found they were underpaid \$16 600.99.

Copy of undertaking:

- [Enforceable Undertaking Centenary Suburbs Sales and Management Pty Ltd \(DOCX 107.5KB\) \(www.fairwork.gov.au/ArticleDocuments/722/Enforceable-Undertaking-Harcourts-Centenary.docx.aspx\)](http://www.fairwork.gov.au/ArticleDocuments/722/Enforceable-Undertaking-Harcourts-Centenary.docx.aspx)

Media release:

- [Company acts to end question mark over employment classifications \(www.fairwork.gov.au/about-us/news-and-media-releases/archived-media-releases/2014-media-releases/february-2014/centenary-eu\)](http://www.fairwork.gov.au/about-us/news-and-media-releases/archived-media-releases/2014-media-releases/february-2014/centenary-eu)

Telco Services Pty Ltd

Date of undertaking: 24 December 2013

We determined an alleged sham contracting arrangement, no amount was recovered.

Copy of undertaking:

- [Enforceable Undertaking Telco Services Pty Ltd \(DOCX 320.4KB\) \(www.fairwork.gov.au/ArticleDocuments/722/Enforceable-Undertaking-Telco-Services-Australia.docx.aspx\)](http://www.fairwork.gov.au/ArticleDocuments/722/Enforceable-Undertaking-Telco-Services-Australia.docx.aspx)
- [Enforceable Undertaking Telco Services Pty Ltd \(PDF 337.1KB\) \(www.fairwork.gov.au/ArticleDocuments/722/Enforceable-Undertaking-Telco-Services-Australia.pdf.aspx\)](http://www.fairwork.gov.au/ArticleDocuments/722/Enforceable-Undertaking-Telco-Services-Australia.pdf.aspx)

Media release:

- [Pay packet review for call centre workers \(www.fairwork.gov.au/about-us/news-and-media-releases/archived-media-releases/2014-media-releases/february-2014/tsa-eu\)](http://www.fairwork.gov.au/about-us/news-and-media-releases/archived-media-releases/2014-media-releases/february-2014/tsa-eu)

Attic Protective Services Pty Ltd

Date of undertaking: 19 December 2013

We determined that casual security guards in Sydney failed to receive pay slips, the correct pay rate, shift allowances, overtime, and penalties on a weekend or on night shift. We found there was an underpayment of \$7058.70.

Copy of undertaking:

- [Enforceable Undertaking Attic Protective Services Pty Ltd \(DOCX 111.2KB\) \(www.fairwork.gov.au/ArticleDocuments/722/Enforceable-Undertaking-Attic-Protective-Services-Pty-Ltd.docx.aspx\)](http://www.fairwork.gov.au/ArticleDocuments/722/Enforceable-Undertaking-Attic-Protective-Services-Pty-Ltd.docx.aspx)
- [Enforceable Undertaking Attic Protective Services Pty Ltd \(PDF 432.4KB\) \(www.fairwork.gov.au/ArticleDocuments/722/Enforceable-Undertaking-Attic-Protective-Services.pdf.aspx\)](http://www.fairwork.gov.au/ArticleDocuments/722/Enforceable-Undertaking-Attic-Protective-Services.pdf.aspx)

Media release:

- [Sydney security company revamps workplace processes after underpayments \(www.fairwork.gov.au/about-us/news-and-media-releases/archived-media-releases/2014-media-releases/february-2014/attic-eu\)](http://www.fairwork.gov.au/about-us/news-and-media-releases/archived-media-releases/2014-media-releases/february-2014/attic-eu)

Gunsynd Café

Date of undertaking: 10 January 2014

We determined that the weekly pay rate for a casual baker's assistant/labourer failed to meet the minimum award entitlement to night work allowances, Saturday, Sunday, public holiday penalty rates and overtime. The bakery also failed to keep records. We found that there was a total underpayment of \$48 586.44.

Copy of undertaking:

- [Enforceable Undertaking Gunsynd Cafe \(DOCX 98.3KB\) \(www.fairwork.gov.au/ArticleDocuments/722/Enforceable-Undertaking-Gunsynd-Cafe%5B1%5D.docx.aspx\)](http://www.fairwork.gov.au/ArticleDocuments/722/Enforceable-Undertaking-Gunsynd-Cafe%5B1%5D.docx.aspx)
- [Enforceable Undertaking Gunsynd Cafe \(PDF 1.6MB\) \(www.fairwork.gov.au/ArticleDocuments/722/Enforceable-Undertaking-Gunsynd-Cafe.pdf.aspx\)](http://www.fairwork.gov.au/ArticleDocuments/722/Enforceable-Undertaking-Gunsynd-Cafe.pdf.aspx)

Media release:

- [Café signs Enforceable Undertaking after underpayment discovered \(www.fairwork.gov.au/about-us/news-and-media-releases/archived-media-releases/2014-media-releases/january-2014/20140115-gunsynd-eu\)](http://www.fairwork.gov.au/about-us/news-and-media-releases/archived-media-releases/2014-media-releases/january-2014/20140115-gunsynd-eu)

Camp Australia Pty Ltd

Date of undertaking: 13 September 2013

We determined that employees were being paid below the minimum wage. The company runs in all states and territories of Australia except in TAS. The underpayment amounted to \$2,617,353.

Copy of undertaking:

- [Enforceable Undertaking Camp Australia Pty Ltd \(DOCX 113.8KB\) \(www.fairwork.gov.au/ArticleDocuments/722/Enforceable-Undertaking-Camp-Australia.docx.aspx\)](http://www.fairwork.gov.au/ArticleDocuments/722/Enforceable-Undertaking-Camp-Australia.docx.aspx)
- [Enforceable Undertaking Camp Australia Pty Ltd \(PDF 3.1MB\) \(www.fairwork.gov.au/ArticleDocuments/722/Enforceable-Undertaking-Camp-Australia.pdf.aspx\)](http://www.fairwork.gov.au/ArticleDocuments/722/Enforceable-Undertaking-Camp-Australia.pdf.aspx)

Media release:

- [National child care provider to repay \\$2.6 million to employees \(www.fairwork.gov.au/about-us/news-and-media-releases/archived-media-releases/2013-media-releases/october-2013/20131002-camp-australia\)](http://www.fairwork.gov.au/about-us/news-and-media-releases/archived-media-releases/2013-media-releases/october-2013/20131002-camp-australia)

Guardian Early Learning Centres Pty Ltd (Guardian)

Date of Undertaking: 5 September 2013

We determined a contravention of return to work guarantee, failure to consult with employee (full time centre manager) on unpaid parental leave and workplace rights adverse action.

Copy of undertaking:

- [Enforceable Undertaking Guardian Early Learning Centres Pty Ltd \(Guardian\) \(PDF 1.6MB\) \(www.fairwork.gov.au/ArticleDocuments/722/Enforceable-Undertaking-Guardian.pdf.aspx\)](http://www.fairwork.gov.au/ArticleDocuments/722/Enforceable-Undertaking-Guardian.pdf.aspx)

Media release:

- [Compensation for Melbourne manager over post-maternity leave treatment \(www.fairwork.gov.au/about-us/news-and-media-releases/archived-media-releases/2013-media-releases/september-2013/20130924-guardian-eu\)](http://www.fairwork.gov.au/about-us/news-and-media-releases/archived-media-releases/2013-media-releases/september-2013/20130924-guardian-eu)

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Speak & Listen: 1300 555 727. Ask for the Fair Work Infoline 13 13 94

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