

# KNOW WHAT YOU NEED TO KNOW

## CASE STUDY

### FAIR WORK OMBUDSMAN: UNDERPAYMENT OF WAGES

#### WORKING WITH THE EMPLOYER ASSISTANCE LINE

Employer Assistance Line is a critical part of CCIQ membership, providing free\* professional advice on how to meet all of your legal requirements when you're employing staff.

Our professional in-house team gives you up to date and accurate information about the areas that concern you most: industrial relations, workers' compensation, staff discipline and compliance.

We're available on phone and email. Whatever your query, we'll get you fast feedback and help you get it right before it goes wrong.

\*Not included in Opportunity membership. Opportunity members can purchase access on a pay-as-you-use basis. Please consult your membership guide for details and pricing. We define a call as taking an issue from the primary contact with us through to resolution, not as individual telephone or email conversations.

#### FAIR WORK OMBUDSMAN: UNDERPAYMENT OF WAGES

##### The situation

A member contacted us after the Fair Work Ombudsman accused them of underpaying a former employee.

##### EAL solution

We reviewed the member's collective agreement to ensure it was compliant with the relevant transitional laws, and compared the rates with those used by the Ombudsman.

We then advised the member to prepare a response to the Fair Work Ombudsman, outlining what the applicable rate was compared to the former employee's pay slip, showing the employee had indeed been paid correctly.

##### What could have happened?

By not actively participating in the Fair Work Ombudsman's internal processes and assessing a claim for its validity, the member would be at risk of lengthy and costly litigation.

If litigation goes to a hearing, expect a wait time of eight months with no guarantee of a win.

**Talk to the EAL to save your time.**

Call **1300 731 988** or email **advice@cciq.com.au** and we'll have an answer for you within 24 hours.

