

## Media release

21 July 2019

### Maurice Blackburn sue Rockpool for wage theft - again

Maurice Blackburn Lawyers has commenced a case in the Federal Court of Australia against high-end restaurant group Rockpool Bar & Grill and Rockpool Group Holdings Pty Ltd (Rockpool) on behalf of a chef who was forced to work up to 70-hours a week for just \$12 an hour.

Rockpool is now owned by a private equity consortium and its published results indicate that it is highly profitable.

Rohit Karki began working at Rockpool's swank Melbourne restaurant in 2012 at Crown and says he was treated like an animal, enduring extreme work hours. He alleges that sometimes he was forced to sleep on a pastry bench between 20-hour shifts.

Mr Karki says the circumstances of his employment significantly deteriorated once his visa sponsorship was secured in 2013. He was required to work over 70 hours per week, including 20-hour shifts from 4am to midnight over consecutive days without breaks for just \$12 an hour.

In around November 2018, Mr Karki complained to Rockpool about his underpayment and treatment, in part after learning through media reports that other employees had also been exploited.

After raising his concerns, Mr Karki was bullied by a senior chef, forced to work on a new roster completing the kitchen preparatory work of 3 staff on his own and pressured to resign. He finally resigned in March of this year.

Maurice Blackburn Principal Josh Bornstein said Rockpool had committed numerous and serious contraventions of the Award and the Fair Work Act that have resulted in underpayment to Mr Karki.

He also said Mr Karki was subjected to unlawful adverse action after complaining - a contravention of the Fair Work Act.

"This is another Dickensian example of wage theft and exploitation of vulnerable workers that is all too common in the hospitality industry. Rockpool is no bit player. It's a highly profitable business empire which has been cheating," Mr Bornstein said.

"Rohit thought he was going to gain experience as a qualified chef in a high-end Melbourne restaurant, which is highly regarded in a dining scene of worldwide repute. Instead, under the threat of his visa sponsorship, he was forced to undertake hard labour for over 70 hours per week, and received next to nothing in pay. As soon as he raised a complaint about this, he was punished and pressured out of his employment".

“What makes the conduct particularly egregious in this claim is that Rockpool has made public statements to the effect that it is fixing its underpayment issues identified by the media and that it is committed to lifting industry standards, whilst within its kitchens workers who complain about the unlawful conduct have been bullied out of the business”.

“More needs to be done to protect workers from the culture of rampant underpayment and exploitation in the hospitality industry. We are paying a very high price for the policies and laws that have deunionised workplaces in recent decades. In addition, the abuse of working visa schemes is harming the labour market and the broader economy. It is time for a broad ranging inquiry into the hospitality industry’s labour practices.”

Maurice Blackburn is seeking compensation to be paid to Mr Karki for the loss he has suffered and that the Court order significant penalties be paid by Rockpool in recognition of the very serious contraventions they have been accused of.

Maurice Blackburn is also asking the Court to order that Rockpool engage an appropriately qualified external party to undertake a comprehensive audit in relation to whether there have been any other Award or Fair Work Act breaches in relation to other employees in the past 6 years, and that the audit report be given to the Fair Work Ombudsman, as well as seeking Rockpool to submit itself to training and compliance assessments by Worksafe and the Fair Work Ombudsman every 6 months until December 2022.

***Media inquiries:***

Paddy Murphy at Maurice Blackburn  
T 0490 297 391 E [pmurphy@mauriceblackburn.com.au](mailto:pmurphy@mauriceblackburn.com.au)