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5 August 2015

Our Ref: PDS:TBA
Direct Email: prav@cornerstonelawoffices.com.au
Your Ref:

Mr PK Alawala
[REDACTED]

By Mail and Email: [REDACTED]

Dear Mr Alawala

Re: Avinash Singh and You

We act on behalf of your former employer Avinash Singh of 7 Eleven, Woollongabba.

We are instructed that you were employed by our client for a period of approximately two years. During your period of employment, you were promoted and on the basis of your representation to our client, you were offered more hours of work.

We are instructed that you abandoned your employment approximately a month ago without providing our client with any notice. Your employment was therefore terminated on the basis of you abandoning your employment.

It has come to our client's attention that despite the representation you made to our client in respect of your visa and the number of hours you are permitted to work in Australia, the fact is that you are on a student visa and therefore cannot work for more than 20 hours per week. Thus, you violated your visa conditions by making false representations to our client pursuant to which our client offered you more hours to work and which you accepted during the two year period that you worked for him.

Nevertheless, we are instructed that you were paid at the appropriate award rate for the work that you did for our client based on the number of hours you actually worked.

We are instructed that since abandoning your employment, you have made unreasonable demands on our client to pay you various amounts of money, beginning with AUD\$40,000.00 alleging that you had been underpaid during the course of your employment with our client. We are instructed that your allegations in respect of being underpaid is baseless and without merit.

Not only have you made demands, but we are instructed that you have made threats against our client which in fact rise to the level of extortion and blackmail. That is illegal and must stop immediately.

We note that you have sent a demand to our client in writing as follows:

"If I don't receive my back pay which is in excess of \$20,000 AUD in my bank account by 5pm on 5 August 2015, I will have no option but to report you to various government agencies and agree to do a national media interview that I have been asked to do".

Our client takes such threats seriously. As stated above this rises to the level of extortion and blackmail. The purpose of this correspondence is to put you on notice that if you do not immediately stop such harassing behaviour and unnecessary demands of our client, we will advise our client to report the matter to the police and to the Department of Immigration.

You are also being put on notice that if you continue with this behaviour, then we will also advise our client to take appropriate action through the Court for defamation and seek injunctive relief and damages against you.

Please note that if you have concerns about your remuneration, then in Australia, you have the opportunity to raise those concerns through Fair Works Australia. Blackmailing and trying to extort money in that manner is in fact illegal and a criminal offence.

If you believe that you have a legitimate claim against our client, we suggest that you either make your claim through Fair Works Australia or provide evidence of the alleged underpayment to our office for our and our client's consideration.

Please note that all future communication and correspondence in relation to this matter is to be directed to our office and in writing. You are not to contact our client or cause anyone on your behalf to contact our client in relation to your employment issues as that will be considered as harassment of our client.

Yours faithfully

CORNERSTONE LAW OFFICES


Prabhita Singh Pillay

Principal Lawyer

Nationally Accredited Mediator

Family Dispute Resolution Practitioner

Response from Avinash Singh and his lawyer

Avinash Singh declined to comment. "I'm not willing to make a comment please speak to my lawyer."

Mr Singh's lawyer, Prayinita Singh-Pillay said she was bound by attorney client privilege and could not comment. When asked why she had threatened to take the matter to the Department of Immigration, Ms Singh-Pillay said: You need to check your facts. I have checked my facts and I recommend you do the same. That's all I'm saying.