

**APPENDIX 1**  
**COMPLAINTS / CLAIMS**

The Industrial Magistrate, during the six months ending **June 30, 2020**, dealt with the under mentioned complaints/claims for breaches of Awards or Industrial Agreements or breach of the *Industrial Relations Act 1979*, *Fair Work Act 2009*, *Minimum Conditions of Employment Act 1993*, *Workplace Relations Act 1996*, *Long Service Leave Act 1958*, *Construction Industry Portable Paid Long Service Leave Act 1985* and the *Children and Community Service Act 2004* or the Regulations made there under. The decision of the Magistrate is briefly noted, but those cases involving points of particular interest or importance are more fully reported.

No. of Claim	Claimant	Respondent	Nature of Breach	Decision	Penalty	Costs	Wages
M 1/2020	Edgar Gomez Vinluan	Geraldton Building Services & Cabinets Pty Ltd	Long Service Leave Act 1958 - Alleged breach of Act	Claim Dismissed			
M 2/2020	Construction Industry Long Service Leave Payments Board	T.I.E.C. Services Pty Ltd	Alleged breach of Construction Industry Portable Paid Long Service Leave Act 1985	Discontinued			
M 3/2020	Construction Industry Long Service Leave Payments Board	Macchina Operations Pty Ltd	Alleged breach of Construction Industry Portable Paid Long Service Leave Act 1985	Discontinued			
M 4/2020	Construction Industry Long Service Leave Payments Board	WCC Electrical & Air Conditioning Pty Ltd	Alleged breach of Construction Industry Portable Paid Long Service Leave Act 1985	Discontinued			
M 5/2020	Construction Industry Long Service Leave Payments Board	DAC Electrical Services Pty. Ltd.	Alleged breach of Construction Industry Portable Paid Long Service Leave Act 1985	Discontinued			
M 6/2020	Construction Industry Long Service Leave Payments Board	Brooks Civil Services Pty Ltd	Alleged breach of Construction Industry Portable Paid Long Service Leave Act 1985	Discontinued			
M 7/2020	Construction Industry Long Service Leave Payments Board	Pereira & Sons Painting Pty Ltd	Alleged breach of Construction Industry Portable Paid Long Service Leave Act 1985	Discontinued			
M 8/2020	Construction Industry Long Service Leave Payments Board	Ugle Pty Ltd	Alleged breach of Construction Industry Portable Paid Long Service Leave Act 1985	Discontinued			
M 10/2020	Construction Industry Long Service Leave Payments Board	Christopher Couanon	Alleged breach of Construction Industry Portable Paid Long Service Leave Act 1985	Discontinued			
M 10/2018	James (Andrew) Hogben	Upper East International Pty Ltd	Fair Work Act 2009 - Small Claim	Claim Proven			\$14,938.82
M 12/2020	Construction Industry Long Service Leave Payments Board	Statewide Industrial Maintenance Pty Ltd	Alleged breach of Construction Industry Portable Paid Long Service Leave Act 1985	Discontinued			
M 14/2020	Construction Industry Long Service Leave Payments Board	2G's SMI Pty Ltd	Alleged breach of Construction Industry Portable Paid Long Service Leave Act 1985	Discontinued			
M 15/2020	Construction Industry Long Service Leave Payments Board	Karen Fay O'Brien	Alleged breach of Construction Industry Portable Paid Long Service Leave Act 1985	Discontinued			
M 15/2018	Nicolo Andrea Piras	Advanced Traffic Management Pty Ltd	Fair Work Act 2009 - Small Claim	Discontinuance			
M 16/2020	Construction Industry Long Service Leave Payments Board	Macnrie Pty Ltd	Alleged breach of Construction Industry Portable Paid Long Service Leave Act 1985	Discontinued			
M 19/2020	Rodion Solovev	Navra Pty Ltd	Fair Work Act 2009 - Small Claim	Judgment by Default		\$50.00	\$2,967.79
M 19/2018	Chia Yee Lim	2015 Pty Ltd t/a Complus	Fair Work Act 2009 - Alleged breach of Act	Judgment by Default	\$80,820		\$7,656.80
M 20/2020	Anna Guillester	Alan Green Seaville Holdings Pty Ltd	Fair Work Act 2009 – Alleged breach of Instrument; Fair Work Act 2009 – Alleged breach of Act	Discontinued			

WESTERN AUSTRALIAN INDUSTRIAL GAZETTE

APPENDIX I  
COMPLAINTS / CLAIMS—continued

No. of Claim	Claimant	Respondent	Nature of Breach	Decision	Penalty	Costs	Wages
M 21/2020	Chungman Jeong	Yuteng Zhang	Fair Work Act 2009 - Small Claim	Discontinued			
M 22/2020	Ricky Hayes	The Trustee for Cable Locates and Consulting Trust	Long Service Leave Act 1958 - Alleged breach of Act; Minimum Conditions of Employment Act 1993 - Alleged breach of Act	Discontinued			
M 25/2020	Binyamin Rosenblum	Apex Restaurant Concepts Pty Ltd as The Trustee for CACCIOLA FAMILY TRUST	Fair Work Act 2009 - Small Claim	Discontinued			
M 26/2019	Mark David Jones	Leo Spierenburg and another	Fair Work Act 2009 - Small Claim; Long Service Leave Act 1958 - Alleged breach of Act	Discontinued			\$20,000.00
M 27/2020	Norman Macri	Monaco Corporation Pty Ltd	Fair Work Act 2009 - Alleged breach of Act; Long Service Leave Act 1958 - Alleged breach of Act	Discontinued			
M 30/2020	Richard Harris	Bokay (WA) Pty Ltd	Fair Work Act 2009 - Alleged breach of Act; Fair Work Act 2009 - Alleged breach of Instrument; Long Service Leave Act 1958 - Alleged breach of Act	Discontinued			
M 32/2020	Anna Berdon	MBP (WA) Pty Ltd	Fair Work Act 2009 - Alleged breach of Instrument	Discontinued			
M 33/2018	Craig Ivan Botica	Top Cut TMS Holdings Pty Ltd (ACN 134 606 661)	Fair Work Act 2009 - Alleged breach of Instrument; Long Service Leave Act 1958 - Alleged breach of Act	Claim Proven in Part			\$11,960.91
M 34/2020	Jessica Bonomo	Beveli Pty Ltd	Fair Work Act 2009 - Small Claim	Orders issued by Consent			\$2,036.59
M 35/2020	Kyna Harwood	TCP Transport Pty Ltd	Fair Work Act 2009 - Small Claim	Discontinued			
M 36/2020	Jonathan Harley Moss	Burando Hill Pty Ltd	Fair Work Act 2009 - Small Claim	Discontinued			
M 39/2020	Jason May	Hazelton Property Group Pty Ltd	Fair Work Act 2009 - Small Claim	Judgment by Admission			\$1,468.00
M 41/2020	Daniel Johnston	IC Energy Pty Ltd	Fair Work Act 2009 - Alleged breach of Instrument; Fair Work Act 2009 - Alleged breach of Act; Long Service Leave Act 1958 - Alleged breach of Act	Discontinued			
M 50/2020	Nik Mustapha	Industrial Road Pavers (WA) Pty Ltd	Fair Work Act 2009 - Alleged breach of Act; Long Service Leave Act 1958 - Alleged breach of Act	Claim Proven	\$2,000.00	\$50.00	
M 51/2020	Ibrahim Aydiah	Industrial Road Pavers (WA) Pty Ltd	Fair Work Act 2009 - Alleged breach of Act; Long Service Leave Act 1958 - Alleged breach of Act	Claim Proven		\$50.00	
M 55/2020	Mathew Clarke	Loram Pty Ltd	Fair Work Act 2009 - Alleged Breach of Instrument; Fair Work Act 2009 - Alleged Breach of Act	Discontinued			
M 58/2020	Barry Jastremski	Australian Contract Mining Pty Ltd	Fair Work Act 2009 - Alleged breach of Act	Discontinued			
M 64/2019	Mr Darren Kearnes	Wetback Construction Pty Ltd	Fair Work Act 2009 - Alleged Breach of Act	Discontinued			
M 64/2019	Mr Darren Kearnes	Wetback Construction Pty Ltd	Fair Work Act 2009 - Alleged Breach of Act	Discontinued			
M 69/2019	Minette Wycoco, Department of Mines, Industry Regulation & Safety	Hall Chadwick (WA) Pty Ltd (ACN: 603 732 574)	Long Service Leave Act 1958 - Alleged breach of Act	Judgment by Default		\$30.00	\$25,110.09
M 71/2019	Gaeul Kim	Itiling North Pty Ltd	Fair Work Act 2009 - Small Claim	Claim Proven			\$12,983.28

WESTERN AUSTRALIAN INDUSTRIAL GAZETTE

APPENDIX I  
COMPLAINTS / CLAIMS—*continued*

No. of Claim	Claimant	Respondent	Nature of Breach	Decision	Penalty	Costs	Wages
M 74/2020	Malgorzata Joanna Porter	Janvic Pty Ltd, as trustee for the Vickery Family Trust, trading as Trophy Shop Australia	Fair Work Act 2009 - Small Claim	Discontinued			
M 74/2018	Gail Barton	Governing Council of South Metropolitan TAFE	Industrial Relations Act 1979 - Alleged breach of Instrument	Discontinued			
M 76/2019	Lorraine Sharp	WA Country Health Service	Industrial Relations Act 1979 - Alleged breach of Instrument	Discontinued			
M 77/2018	Hussain Jau Haidari	Steven Matthew Hurley	Industrial Relations Act 1979 - Alleged breach of Instrument	Judgment by Default		\$60.00	\$860.00
M 78/2018	Paul William Moss	Department of Finance	Industrial Relations Act 1979; Public Sector Management Act 2014 - Alleged breach of Act	Discontinued			
M 80/2018	The Civil Service Association of Western Australia Inc	Director General, Department of Justice	Industrial Relations Act 1979 - Alleged breach of Instrument	Claim Dismissed			
M 83/2018	Cheryl Wallace	Joondalup Family Centre Inc	Fair Work Act 2009 - Alleged breach of Instrument	Discontinued			
M 86/2019	Dini Yusdianingsih	Ashani Holdings Pty Ltd	Fair Work Act 2009 - Small Claim	Claim Proven			\$924.58
M 92/2019	Somayeh Rahmati	Trustee Zubias Pty Ltd (ABN 90211491056)	Fair Work Act 2009 - Small Claim	Discontinued			
M 93/2019	Lewis Yovanche	Hertel Modern Pty Ltd	Fair Work Act 2009 - Alleged breach of Act	Discontinued			
M 106/2017	Andrew Maher	Commissioner of Police, Western Australia Police	Industrial Relations Act 1979 - Alleged breach of Instrument	Discontinued			
M 119/2018	Fulmaya Sharma	Karriview Management Pty. Ltd.	Fair Work Act 2009 - Alleged breach of Instrument	Discontinued			
M 120/2018	Navdeep Kaur Gill	Dalche Enterprises Pty Ltd (ACN: 618909041)	Fair Work Act 2009 - Small Claim	Application to re-open Dismissed			
M 122/2019	Henry C Aveling	Trade Houzz P/L as Trustee for Francis Family Trust trading as Solomons Flooring Cannington	Fair Work Act 2009 - Small Claim	Claim Dismissed			
M 128/2019	Doctor Charles Watson	Director General of the Department of Health, Western Australia	Industrial Relations Act 1979 - Alleged breach of Instrument	Discontinued			
M 130/2019	Janine Marie Callan, Department of Mines, Industry Regulation & Safety	Jodie Lee Cooper	Industrial Relations Act 1979 - Alleged breach of Instrument	Judgment by Default	\$9,000	\$93.50	\$24,337.44
M 132/2019	Kimberley Prast	The Director General, Department of Education	Industrial Relations Act 1979 (WA) - Alleged breach of Instrument	Discontinued			
M 133/2019	Stephen Chapple	Tangent Nominees Pty Ltd T/as Summit Homes Group	Fair Work Act 2009 - Small Claim	Discontinued			
M 139/2019	Bjorn Andersen	Origin Entity Pty Ltd	Fair Work Act 2009 - Small Claim	Discontinued			
M 143/2019	Ms Sandra Wood	The Director General, Department of Education	Industrial Relations Act 1979 - Alleged breach of Instrument; Minimum Conditions of Employment Act 1993 - Alleged breach of Act	Discontinued			

WESTERN AUSTRALIAN INDUSTRIAL GAZETTE

APPENDIX I  
COMPLAINTS / CLAIMS—continued

No. of Claim	Claimant	Respondent	Nature of Breach	Decision	Penalty	Costs	Wages
M 149/2019	Scott Mayston	Matcha Live Longer Pty Ltd	Fair Work Act 2009 - Small Claim	Claim Proven			\$1,606.65
		Aaron Pascoe as Trustee for D P Pascoe Family Trust trading as Pascoe's Gas, Water & Electrical					
		Jason Aaron Nominees Pty Ltd					
M 166/2019	Anel Garapova	Petroaus Pty Ltd (ABN 95 153 200 250)	Fair Work Act 2009 - Small Claim	Orders issued by Consent			\$12,978.25
M 177/2019	Lola Jade Phillips	Ashani Holdings Pty Ltd	Fair Work Act 2009 - Small Claim	Orders issued by Consent			\$4,409.91
M 177/2018	David Leaupepe	Nannup Hotel ABN 70 910 119 760	Industrial Relations Act 1979 - Alleged breach of Instrument	Discontinued			
M 178/2019	Ms Emma Prior	Baptista Holdings Pty Ltd	Fair Work Act 2009 - Alleged breach of Instrument; Fair Work Act 2009 - Alleged breach of Act	Judgment by Default			\$963.01
M 178/2018	Janine Marie Callan, Department of Mines, Industry Regulation and Safety	Samantha Naralee Goh-Edwards Trading As Samantha's Hidden Valley	Industrial Relations Act 1979 - Alleged breach of Instrument	Claim Proven	\$1,500.00	\$595.00	\$12,573.52
M 179/2019	Caleb Duggan	Murdoch University	Fair Work Act 2009 - Small Claim; Long Service Leave Act 1958 - Alleged breach of Act	Discontinued			
M 182/2018	Donnalyn Sharkey	Life Without Barriers (Inc)	Fair Work Act 2009 - Alleged breach of Instrument	Discontinued			
M 184/2019	Shilna Malde	Richard Trainer	Industrial Relations Act 1979 - Enforcement of Commission Order	Judgment by Default		\$60.00	\$20,007.00
M 185/2019	Shilna Malde	Richard Trainer	Industrial Relations Act 1979 - Enforcement of Commission Order	Judgment by Default		\$20.00	\$3,047.83
M 192/2019	Ciara Galega	Oryx Communities AP Pty Ltd	Fair Work Act 2009 - Alleged breach of Instrument; Fair Work Act 2009 - Alleged breach of Act	Discontinued			
M 193/2019	Claire Chanter	The Director General, Department of Education	Industrial Relations Act 1979 - Alleged breach of Instrument	Discontinued			
M 195/2019	Thi Ngoc Linh Tran	Anne Han and another	Fair Work Act 2009 - Small Claim	Judgment by Default		\$40.00	\$920.00
M 196/2019	Hamza Sualeh	Richard Trainer	Industrial Relations Act 1979 - Enforcement of Commission Order	Judgment by Default		\$50.00	\$1,426.17
M 200/2019	Amy Louise Hildreth	H Polesy & Co Pty Limited	Fair Work Act 2009 - Small Claim	Discontinued			
M 200/2017	Transport Workers' Union of Australia	Prosecur Australia Pty Limited (ACN 81 004 247 358)	Fair Work Act 2009 - Alleged breach of Instrument	Claim Dismissed			
M 203/2019	Gavin Robert Campbell	Mine Survey Services Pty Ltd Trading as Survey Group	Fair Work Act 2009 - Small Claim	Discontinued			
M 205/2018	Slade Ford	UGL Operations and Maintenance Pty Ltd (ACN 114 888 201)	Fair Work Act 2009 - Alleged breach of Instrument	Discontinued			
M 207/2019	Construction Industry Long Service Leave Payments Board	Domenico James Fiore	Alleged breach of Construction Industry Portable Paid Long Service Leave Act 1985	Judgment by Default	\$3,600.00		
M 210/2019	Construction Industry Long Service Leave Payments Board	MBE Mechanical Electrical Pty Ltd	Alleged breach of Construction Industry Portable Paid Long Service Leave Act 1985	Discontinued			
M 213/2018	Richard Neil Morgan	Serco Australia Pty Limited (ABN 44 003 677 352)	Fair Work Act 2009 - Small Claim; Alleged breach of Instrument	Claim Proven			\$7,665.67

WESTERN AUSTRALIAN INDUSTRIAL GAZETTE

APPENDIX I  
COMPLAINTS / CLAIMS—*continued*

No. of Claim	Claimant	Respondent	Nature of Breach	Decision	Penalty	Costs	Wages
M 217/2019	Construction Industry Long Service Leave Payments Board	Guma Pty Ltd	Alleged breach of Construction Industry Portable Paid Long Service Leave Act 1985	Discontinued			
M 218/2019	Construction Industry Long Service Leave Payments Board	Alison Electrical Pty Ltd	Alleged breach of Construction Industry Portable Paid Long Service Leave Act 1985	Contravention Proven	\$6,400.00		
M 222/2019	Construction Industry Long Service Leave Payments Board	Bayconstruct Pty Ltd	Alleged breach of Construction Industry Portable Paid Long Service Leave Act 1985	Contravention Proven	\$19,600.00		
M 223/2019	Geoffrey William Pryde	Tock - Cavanough Pty Ltd	Fair Work Act 2009 - Small Claim	Judgment by Default		\$50.00	\$5,576.18
M 225/2019	Hayley Neville, Department of Mines, Industry Regulation and Safety	Hong Minh Nguyen	Industrial Relations Act 1979 - Alleged breach of Instrument	Judgment by Default	\$750	\$495	
M 229/2019	Keven Hardie	Auswest Timbers Pty Ltd ACN: 071 093 591	Fair Work Act 2009 - Alleged breach of Instrument	Discontinued			
M 230/2019	Bernard Chipadza	Freo Group Pty Ltd	Fair Work Act 2009 - Alleged breach of Act	Claim Dismissed			
M 231/2019	Brenda Chandler	Wilson Security Pty Ltd	Fair Work Act 2009 - Alleged breach of Instrument; Fair Work Act 2009 - Alleged breach of Act	Discontinued			
M 232/2019	Ting-Yao Hsieh	Amana Living Incorporated	Fair Work Act 2009 - Alleged breach of Instrument; Fair Work Act 2009 - Alleged breach of Act	Discontinued			
M 233/2019	Julian Peter Muir	Ponte Diavolo Pty Ltd (ACN 099 934 004)	Fair Work Act 2009 - Small Claim	Claim Dismissed			
M 234/2018	Adrian Manescu	Baker Hughes Australia Pty. Limited ABN: 20 004 752 050	Fair Work Act 2009; Industrial Relations Act 1979; Minimum Conditions of Employment Act 1993 - Alleged breach of Act	Claim Dismissed			
M 235/2019	Miguel Semedo	Ultimate Roomscape Pty Ltd (ACN 601 689 874) Christopher Huck Kim Lim	Fair Work Act 2009 - Alleged breach of Instrument; Fair Work Act 2009 - Alleged breach of Act	Discontinued			
M 236/2019	Zeiona Boag	Weng Nam Loong Coffee Sisters Pty Ltd	Fair Work Act 2009 - Small Claim	Discontinued			
M 237/2019	Darren Peter Griffiths	Sign On Group Pty Ltd	Fair Work Act 2009 - Alleged breach of Instrument; Fair Work Act 2009 - Alleged breach of Act	Discontinued			
M 239/2019	Kevan Shaw	Perth Pressure Jet Services Pty Ltd	Fair Work Act 2009 - Small Claim	Discontinued			
M 240/2019	Caroline Monaghan	The City of Kalgoorlie Boulder	Fair Work Act 2009 - Small Claim	Discontinued			
M 241/2019	Loisi Tohi	The City of Kalgoorlie Boulder	Fair Work Act 2009 - Small Claim	Discontinued			
M 242/2019	Kayla Hinchliffe	The City of Kalgoorlie Boulder	Fair Work Act 2009 - Small Claim	Discontinued			
M 243/2019	Carmen Laatz	The City of Kalgoorlie Boulder	Fair Work Act 2009 - Small Claim	Discontinued			
M 244/2019	Jennifer Hanna	The City of Kalgoorlie-Boulder	Fair Work Act 2009 - Small Claim	Discontinued			
M 245/2019	Brendon Joel O'Brien	Department of Education	Industrial Relations Act 1979 - Alleged breach of Instrument	Discontinued			
M 246/2019	Mohammad Baqir Nasser	IN WA Painters Pty Ltd	Fair Work Act 2009 - Small Claim	Judgment by Default			\$2,750.00
M 247/2019	Christopher Blake	West Traders Pty Ltd	Fair Work Act 2009 - Alleged breach of Act	Discontinued			
M 248/2019	Campbell Graham Stephen Turner	GTECH NDT PTY LTD	Fair Work Act 2009 - Small Claim	Judgment by Default			\$12,717.57

WESTERN AUSTRALIAN INDUSTRIAL GAZETTE

APPENDIX I  
COMPLAINTS / CLAIMS—*continued*

No. of Claim	Claimant	Respondent	Nature of Breach	Decision	Penalty	Costs	Wages
M 249/2019	Mark Damien Harby	Western Australian Shed Commercial PTY LTD	Fair Work Act 2009 - Small Claim	Judgment by Default		\$50.00	\$14,336.52
M 250/2019	Heather Southern	Wanneroo Sports & Social Club (Inc)	Industrial Relations Act 1979 - Alleged breach of Instrument; Long Service Leave Act 1958 - Alleged breach of Act	Discontinued			
M 251/2019	Richard Pearson	Prosegur Australia Pty Limited	Fair Work Act 2009 - Alleged breach of Act	Discontinued			
M 252/2019	Michaela Ashford	The Fremantle Door & Window Company Pty Ltd	Fair Work Act 2009 - Small Claim	Judgment by Default			\$14,904.40
M 254/2019	Brian Edward Ravenscroft - Department of Mines, Industry Regulation and Safety	Wei Zhu trading as Shining Quick Cutz	Industrial Relations Act 1979 - Alleged breach of Act	Orders issued by Consent			
M 255/2019	Matthew James Ford	Scott Park Group Pty Ltd Scott Park Chris Hunt Jessica Orifici	Fair Work Act 2009; Long Service Leave Act 1958 - Alleged breach of Acts	Discontinued			
M 259/2019	Simon Grover	Ridgebay Holdings Pty Ltd	Fair Work Act 2009 - Alleged breach of Act	Discontinued			
M 260/2019	George Urquhart Fraser	Jones Partners Pty Ltd	Fair Work Act 2009 - Small Claim	Judgment by Default			\$3,690.00
M 261/2019	Chiraag Shah	Overseas Education and Career Consultants WA Pty Ltd	Fair Work Act 2009 - Small Claim	Judgment by Default			\$3,656.66
M 262/2019	Alexandra Quadrelli	Beno Group Pty Ltd (ABN 37163368027)	Fair Work Act 2009 - Small Claim	Judgment by Default			\$700.00