

**APPENDIX I**  
**COMPLAINTS / CLAIMS**

The Industrial Magistrate, during the six months ending **December 31, 2021**, 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 19/2021	Glenn Robert Wallis	S. V. Haoust Pty Ltd T/As Go West Tours	Industrial Relations Act 1979 - Alleged breach of Instrument	Orders issued by consent			
M 20/2021	Trevor Prentis	Ventia Australia Pty Ltd	Fair Work Act 2009 - Alleged breach of Act	Discontinued			
M 22/2021	Antun Pavelka	Outotec Pty Ltd	Fair Work Act 2009 - Alleged breach of Act	Discontinued			
M 24/2021	Hayley Louise Neville, Department of Mines, Industry Regulation and Safety	Wei Zhu trading as Shining Quick Cutz	Industrial Relations Act 1979 - Alleged breach of Instrument	Judgement by Default	\$42,804	\$82.50	\$91,009.64
M 25/2021	Darren Naughton	Proweld Constructions Pty Ltd and Another	Fair Work Act 2009 - Alleged Breach of Act	Discontinued			
M 26/2021	The Australian Workers' Union	Alcoa of Australia Limited	Fair Work Act 2009 - Alleged breach of Act	Discontinued			
M 31/2021	Dale Roberts	BHP Billiton Iron Ore Pty Ltd	Fair Work Act 2009 - Alleged breach of Instrument	Discontinued			
M 37/2021	Richard Powell	Bhagwan Marine Pty Ltd	Long Service Leave Act 1958 - Alleged breach of Act	Discontinued			
M 38/2021	Emelee Peet	Australian Safety Engineers Pty Ltd	Fair Work Act 2009 - Alleged breach of Act	Discontinued			
M 39/2021	Rylan Cairns	Statewide Security (WA) Pty Ltd	Fair Work Act 2009 - Alleged breach of Instrument; Fair Work Act 2009 - Alleged breach of Act	Judgment by Default	\$4,280		\$5,113.07
M 40/2021	Alan Francis Milford	Nuovo Pignone International S.R.L (ABN 75 829 952 336)	Long Service Leave Act 1958 - Alleged breach of Act	Discontinued			
M 41/2021	Arthur Wheatcroft	KRT Contracting Pty Ltd	Fair Work Act 2009 - Alleged breach of Act; Long Service Leave Act 1958 - Alleged breach of Act	Discontinued			
M 46/2021	Allen Bastion	New Accord Pty Ltd (ACN 009 010 422) ATF AMI Unit Trust T/A AMI Sales & Another	Fair Work Act 2009 - Alleged breach of Act	Orders issued by consent			\$10,000
M 50/2021	Shaun Reynolds	Samyar Pty Ltd	Fair Work Act 2009 - Alleged breach of Instrument	Orders issued by consent			\$2,267.01
M 53/2021	David Grant Higgs, Department of Mines, Industry Regulation and Safety	Catherine Tan and Boon Ping Tan in partnership trading as Harvest Espresso Café & Another	Industrial Relations Act 1979 - Alleged breach of Instrument	Discontinued			
M 55/2021	Sonia Christidis	Qantas Ground Service Pty Limited	Fair Work Act 2009 - Alleged breach of Act	Discontinued			
M 56/2021	Timothy Western	WorkPac Pty Ltd	Fair Work Act 2009 - Alleged breach of Act	Discontinued			

## WESTERN AUSTRALIAN INDUSTRIAL GAZETTE

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COMPLAINTS / CLAIMS—*continued*

No. of Claim	Claimant	Respondent	Nature of Breach	Decision	Penalty	Costs	Wages
M 58/2021	Leigh Moore	Elsegood Holdings Pty Ltd & Another	Fair Work Act 2009 - Alleged breach of Act	Discontinued			
M 64/2021	Brain Ravenscroft, Department of Mines, Industry Regulation and Safety	Kuldeep Singh Jodha as Trustee for the Brar Family Trust t/as Indian Garden Restaurant	Industrial Relations Act 1979 - Alleged Breach of Act	Claim Proven	\$3,900	\$187	
M 84/2019	Brian Edward Ravenscroft, Department of Mines, Industry Regulation and Safety	Wesley Kinnis Williams	Industrial Relations Act 1979 - Alleged breach of Instrument	Orders issued by consent			\$17,566.88
M 89/2021	Tracey Bryer	Gaggle.Net.Au Pty Ltd	Fair Work Act 2009 - Small Claim	Judgment by Default			\$16,000
M 92/2021	Linda Catherine Harrup	Department of Education	Industrial Relations Act 1979 - Alleged breach of Instrument	Discontinued			
M 102/2021	Hayley Louise Neville, Department of Mines, Industry Regulation and Safety	Cheryle Bandy trading as Perth House Vacate Cleaning	Industrial Relations Act 1979 - Alleged breach of Instrument	Orders issued by consent			\$1,586.20
M 107/2020	Brian Kevin Embleton	Santos WA Energy Ltd and Others	Industrial Relations Act 1979 - Alleged breach of Act; Long Service Leave Act 1993 - Alleged breach of Act; Fair Work Act 2009 - Alleged breach of Act	Discontinued			
M 109/2021	Thomas George Kelly	Prima Scelta Pty Ltd	Fair Work Act 2009 - Small Claim	Discontinued			
M 109/2020	Mark Ryan	WA Pallets Pty Ltd	Fair Work Act 2009 - Alleged breach of Instrument; Fair Work Act 2009 - Alleged breach of Act	Claim proven	\$2,500		\$2,937.51
M 111/2021	Bryan Rowland Pearce	Kingston Training and Employment Pty Ltd	Fair Work Act 2009 - Alleged breach of Act	Discontinued			
M 111/2020	David Smith	Edith Cowan University & Others	Fair Work Act 2009 - Alleged breach of Instrument; Fair Work Act 2009 - Alleged breach of Act	Claim Dismissed			
M 112/2021	Amy Cooper	Supa Fresh (Holding) Pty Ltd as Trustee for JJM BORGOMASTRO FAMILY TRUST Trading as Basil's Fine Foods	Fair Work Act 2009 - Small Claim	Discontinued			
M 113/2021	Mathew Farmer	Meneghello Blast & Paint Pty Ltd	Fair Work Act 2009 - Alleged breach of Act	Discontinued			
M 114/2020	Daniel Murtagh	Workpac Pty Ltd	Fair Work Act 2009 - Alleged breach of Instrument; Fair Work Act 2009 - Alleged breach of Act	Discontinued			
M 121/2021	Maryna Yukhymets	Gold Corporation	Fair Work Act 2009 - Alleged breach of Act	Discontinued			

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COMPLAINTS / CLAIMS—*continued*

No. of Claim	Claimant	Respondent	Nature of Breach	Decision	Penalty	Costs	Wages
M 122/2021	Nisal Indula Sanchi Arachchi Ngahawattage	TSG Belmont Pty Ltd	Fair Work Act 2009 - Alleged breach of Instrument; Fair Work Act 2009 - Alleged breach of Act	Discontinued			
M 124/2021	Kim Bunting	Loc Strata Management WA Pty Ltd	Fair Work Act 2009 - Alleged breach of Act	Discontinued			
M 125/2021	Civil Service Association of Western Australia Incorporated	Director General, Department of Justice	Industrial Relations Act 1979 - Alleged breach of Instrument	Discontinued			
M 125/2020	Ikhlas Abdelmashi	Goodstart Early Learning Limited	Long Service Leave Act 1958 - Alleged breach of Act; Fair Work Act 2009 - Alleged breach of Act	Discontinued			
M 126/2021	James Anthony Marquet	Automotive Equipment Pty Ltd (ACN 155 948 351)	Fair Work Act 2009 - Alleged breach of Instrument; Fair Work Act 2009 - Alleged breach of Act	Judgment by Default			\$30,934.58
M 127/2021	Levon Ennis	Ampol Petroleum Distributors Pty Ltd	Fair Work Act 2009 - Alleged breach of Instrument	Discontinued			
M 129/2021	Colin Holst	UGL Operations & Maintenance Pty Ltd (ABN 17 114 888 201)	Fair Work Act 2009 - Alleged breach of Instrument	Discontinued			
M 130/2021	Taryn Widdows	Ocean Keys Veterinary Hospital Pty Ltd ATF Burstein Family Trust	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 131/2021	Michael Coe	Department of Education	Public Sector Management Act 1994 (WA), Public Sector Management (Redeployment & Redundancy) Regulations 2014 (WA)	Claim dismissed			
M 132/2021	Kylie Hyokki	Bowra & O'Dea Pty Ltd	Fair Work Act 2009 - Alleged breach of Instrument; Long Service Leave Act 1958 - Alleged breach of Act	Discontinued			
M 134/2021	Construction Industry Long Service Leave Payments Board	Perina Group Pty Ltd	Alleged breach of Construction Industry Portable Paid Long Service Leave Act 1985	Discontinued			
M 135/2021	Construction Industry Long Service Leave Payments Board	S. T Bricklaying Pty Ltd	Alleged breach of Construction Industry Portable Paid Long Service Leave Act 1985	Discontinued			

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COMPLAINTS / CLAIMS—*continued*

No. of Claim	Claimant	Respondent	Nature of Breach	Decision	Penalty	Costs	Wages
M 136/2021	Construction Industry Long Service Leave Payments Board	Electric West Pty Ltd	Alleged breach of Construction Industry Portable Paid Long Service Leave Act 1985	Discontinued			
M 137/2021	Construction Industry Long Service Leave Payments Board	ARG Civil & Mining Services Pty Ltd	Alleged breach of Construction Industry Portable Paid Long Service Leave Act 1985	Discontinued			
M 138/2021	Construction Industry Long Service Leave Payments Board	Roggio Holdings Pty Ltd	Alleged breach of Construction Industry Portable Paid Long Service Leave Act 1985	Discontinued			
M 139/2021	Construction Industry Long Service Leave Payments Board	Jag Traffic Pty. Ltd.	Alleged breach of Construction Industry Portable Paid Long Service Leave Act 1985	Discontinued			
M 140/2021	Construction Industry Long Service Leave Payments Board	Lana Talenti	Alleged breach of Construction Industry Portable Paid Long Service Leave Act 1985	Discontinued			
M 141/2021	Construction Industry Long Service Leave Payments Board	Anthony D'Ovidio	Alleged breach of Construction Industry Portable Paid Long Service Leave Act 1985	Discontinued			
M 142/2021	Construction Industry Long Service Leave Payments Board	Career Boss Concreting Pty Ltd	Alleged breach of Construction Industry Portable Paid Long Service Leave Act 1985	Discontinued			
M 143/2021	Construction Industry Long Service Leave Payments Board	Blue Point Electrical Pty. Ltd.	Alleged breach of Construction Industry Portable Paid Long Service Leave Act 1985	Discontinued			
M 144/2021	Construction Industry Long Service Leave Payments Board	Airmaster Australia (VIC) Pty Ltd	Alleged breach of Construction Industry Portable Paid Long Service Leave Act 1985	Discontinued			
M 145/2021	Construction Industry Long Service Leave Payments Board	Telwest Communications Pty Ltd	Alleged breach of Construction Industry Portable Paid Long Service Leave Act 1985	Discontinued			
M 146/2021	Construction Industry Long Service Leave Payments Board	Johnson Controls Australia Pty Ltd	Alleged breach of Construction Industry Portable Paid Long Service Leave Act 1985	Discontinued			
M 147/2021	Construction Industry Long Service Leave Payments Board	Clear Water Designs Pty. Ltd.	Alleged breach of Construction Industry Portable Paid Long Service Leave Act 1985	Discontinued			
M 148/2021	Construction Industry Long Service Leave Payments Board	Western Formworx Pty Ltd	Alleged breach of Construction Industry Portable Paid Long Service Leave Act 1985	Discontinued			

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COMPLAINTS / CLAIMS—*continued*

No. of Claim	Claimant	Respondent	Nature of Breach	Decision	Penalty	Costs	Wages
M 149/2021	Construction Industry Long Service Leave Payments Board	Dean Guilliamse	Alleged breach of Construction Industry Portable Paid Long Service Leave Act 1985	Discontinued			
M 150/2021	Construction Industry Long Service Leave Payments Board	Robert James Mitchell	Alleged breach of Construction Industry Portable Paid Long Service Leave Act 1985	Discontinued			
M 151/2021	Construction Industry Long Service Leave Payments Board	Michael W Bloomfield	Alleged breach of Construction Industry Portable Paid Long Service Leave Act 1985	Discontinued			
M 152/2021	Liisi Voitka	Silk Hospitality Pty Ltd	Fair Work Act 2009 - Small Claim	Discontinued			
M 153/2021	Megan Le Roux	Ocean Keys Veterinary Hospital Pty Ltd ATF Burstein Family Trust	Fair Work Act 2009 - Alleged breach of Instrument; Fair Work Act 2009 - Alleged breach of Act	Discontinued			
M 155/2021	Donald May	Aquamonix Pty Ltd	Long Service Leave Act 1958 - Alleged breach of Act; Fair Work Act 2009 - Alleged breach of Act	Discontinued			
M 156/2021	Andre Billstein	Delmar Systems Pty Ltd (ABN 45 152 999 776)	Long Service Leave Act 1958 - Alleged breach of Act; Fair Work Act 2009 - Alleged breach of Act	Discontinued			
M 157/2021	Catherine Irvine	Flight Centre Travel Group Limited	Long Service Leave Act 1958 - Alleged breach of Act; Fair Work Act 2009 - Alleged breach of Instrument	Orders issued by consent			\$2,000
M 158/2021	Guy William Grant	Daniel Michael Omodei and John Omodei as trustees for the ROBERT HENRY OMODEI FAMILY TRUST, trading as R.H. Omodei & Sons	Industrial Relations Act 1979 - Alleged breach of Instrument; Minimum Conditions of Employment Act 1993 - Alleged breach of Act	Discontinued			
M 160/2021	Rocky Smith	Peak Resources Ltd	Fair Work Act 2009- Alleged Breach of Act	Discontinued			
M 164/2021	Brett Lazenby	Wyala Nominees Pty Ltd	Long Service Leave Act 1958 - Alleged breach of Act	Discontinued			
M 165/2021	Morgan Fulker	Mathew Whiteaker t/a Joondalup Mowers & Machinery	Long Service Leave Act 1958 - Alleged breach of Act; Fair Work Act 2009 - Alleged breach of Act	Discontinued			
M 166/2021	Tracy McTear	Carreone Global Pty Ltd & Another	Fair Work Act 2009 - Small Claim	Discontinued			

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APPENDIX I  
COMPLAINTS / CLAIMS—*continued*

No. of Claim	Claimant	Respondent	Nature of Breach	Decision	Penalty	Costs	Wages
M 167/2021	The Civil Service Association of Western Australia Incorporated	Director General, Department of Education	Industrial Relations Act 1979 - Alleged breach of Instrument	Discontinued			
M 167/2020	Anita Corry	MCS Security Group Pty Ltd	Fair Work Act 2009 - Alleged breach of Act	Claim Dismissed			
M 168/2021	Carl David Greedy	Bayliss Services Pty Ltd ABN 18 646 776 801 & Others	Fair Work Act 2009 - Small Claim	Discontinued			
M 168/2020	The Australian Workers Union	Bralea Pty Ltd as the Trustee for the Bralea Trust (commonly known as Lone Ranges Shooting Complex)	Fair Work Act 2009 - Alleged breach of Act; Fair Work Act 2009 - Alleged breach of Instrument	Discontinued			
M 171/2021	Jillian Denise Dixon, Department of Mines, Industry Regulation and Safety	Martin Long	Industrial Relations Act 1979 - Alleged breach of Act	Orders issued by consent	\$2,800	\$187	
M 172/2021	Sheree Freeman	The Jewellery Group Pty Limited	Fair Work Act 2009 - Alleged breach of Instrument; Fair Work Act 2009 - Alleged breach of Act	Discontinued			
M 173/2021	Megan Stone	Peard Real Estate Bull Creek Pty Ltd & Another	Fair Work Act 2009 - Alleged breach of Act	Discontinued			
M 174/2020	Benjamin William Hall	Bostech Drilling Australia Pty Ltd	Fair Work Act 2009 - Alleged Breach of Instrument; Fair Work Act 2009 - Alleged breach of Act	Discontinued			
M 174/2018	Brian Edward Ravenscroft, Department of Mines, Industry Regulation and Safety	Wesley Kinnis Williams	Industrial Relations Act 1979 - Alleged Breach of Instrument	Orders issued by consent			\$41,631.46
M 177/2021	Construction, Forestry, Mining and Energy Union of Workers	Elmside Corporation Pty Ltd T/A Atlas Linen Services	Fair Work Act 2009 - Alleged breach of Instrument; Fair Work Act 2009 - Alleged breach of Act	Discontinued			
M 178/2021	Brian Edward Ravenscroft	Ahmed El Sayed Imam and Another	Industrial Relations Act 1979 - Alleged Breach of Act	Judgement by Default	\$14,300		
M 179/2021	Stephanie Macmicking	Milner International College of English	Fair Work Act 2009 - Alleged breach of Act	Discontinued			
M 181/2021	Construction Industry Long Service Leave Payments Board	Christopher Brook	Alleged breach of Construction Industry Portable Paid Long Service Leave Act 1985	Discontinued			
M 182/2021	Construction Industry Long Service Leave Payments Board	Bradley Smith Builders Pty Ltd	Alleged breach of Construction Industry Portable Paid Long Service Leave Act 1985	Discontinued			
M 183/2021	Construction Industry Long Service Leave Payments Board	Contrast Painting Perth Pty Ltd	Alleged breach of Construction Industry Portable Paid Long Service Leave Act 1985	Discontinued			

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COMPLAINTS / CLAIMS—*continued*

No. of Claim	Claimant	Respondent	Nature of Breach	Decision	Penalty	Costs	Wages
M 184/2021	Construction Industry Long Service Leave Payments Board	Efficient Bricklaying Pty Ltd	Alleged breach of Construction Industry Portable Paid Long Service Leave Act 1985	Discontinued			
M 185/2021	Construction Industry Long Service Leave Payments Board	Projex Management & Construction Pty Ltd	Alleged breach of Construction Industry Portable Paid Long Service Leave Act 1985	Discontinued			
M 186/2021	Construction Industry Long Service Leave Payments Board	R & M Electrics Pty Ltd	Alleged breach of Construction Industry Portable Paid Long Service Leave Act 1985	Discontinued			
M 187/2021	Construction Industry Long Service Leave Payments Board	Ranlak Pty Ltd	Alleged breach of Construction Industry Portable Paid Long Service Leave Act 1985	Discontinued			
M 188/2021	Construction Industry Long Service Leave Payments Board	Red Dust Holdings Pty Ltd	Alleged breach of Construction Industry Portable Paid Long Service Leave Act 1985	Discontinued			
M 189/2021	Construction Industry Long Service Leave Payments Board	Reo Tech Solutions Australia Pty Ltd	Alleged breach of Construction Industry Portable Paid Long Service Leave Act 1985	Discontinued			
M 190/2021	Construction Industry Long Service Leave Payments Board	Rubix Future Building Technology Pty Ltd	Alleged breach of Construction Industry Portable Paid Long Service Leave Act 1985	Discontinued			
M 191/2021	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 192/2021	Construction Industry Long Service Leave Payments Board	Utility Five Pty. Ltd.	Alleged breach of Construction Industry Portable Paid Long Service Leave Act 1985	Discontinued			
M 196/2021	Kevin Flavin	SUEZ Recycling & Recovery Pty Ltd ABN 70 002 902 650	Fair Work Act 2009 - Small Claim; Fair Work Act 2009 - Alleged breach of Instrument	Discontinued			
M 202/2021	Construction Industry Long Service Leave Payments Board	Calwyn Griffiths	Alleged breach of Construction Industry Portable Paid Long Service Leave Act 1985	Discontinued			
M 203/2021	Construction Industry Long Service Leave Payments Board	Christopher L Couanon	Alleged breach of Construction Industry Portable Paid Long Service Leave Act 1985	Discontinued			
M 204/2021	Construction Industry Long Service Leave Payments Board	Luke Brown	Alleged breach of Construction Industry Portable Paid Long Service Leave Act 1985	Discontinued			

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COMPLAINTS / CLAIMS—*continued*

No. of Claim	Claimant	Respondent	Nature of Breach	Decision	Penalty	Costs	Wages
M 204/2020	Andrew James McPhail	Duncan McPhail & Co. Pty Ltd (ACN 008 928 103)	Long Service Leave Act 1958 - Alleged breach of Act; Fair Work Act 2009 - Alleged breach of Act	Discontinued			
M 205/2021	Construction Industry Long Service Leave Payments Board	AG Brickworks Pty Ltd	Alleged breach of Construction Industry Portable Paid Long Service Leave Act 1985	Discontinued			
M 209/2021	Construction Industry Long Service Leave Payments Board	KH Signature Pty Ltd	Alleged breach of Construction Industry Portable Paid Long Service Leave Act 1985	Discontinued			
M 211/2021	Construction Industry Long Service Leave Payments Board	Roberts Plumbing & Contracting Pty Ltd	Alleged breach of Construction Industry Portable Paid Long Service Leave Act 1985	Discontinued			
M 211/2020	Construction, Forestry, Maritime, Mining and Energy Union	Elmside Corporation Pty Ltd	Fair Work Act 2009 - Alleged breach of Act	Discontinued			
M 224/2020	Kymerlee Deborah Davies	City of Kalgoorlie-Boulder	Fair Work Act 2009 - Small Claim	Discontinued			