

APPENDIX I

COMPLAINTS / CLAIMS

The Industrial Magistrate, during the six months ending **December 31, 2022**, 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 Complaint	Prosecutor	Accused	Nature of Breach	Decision	Penalty	Costs	Wages
CP 1/2022	Department of Mines, Industry Regulation and Safety	Roger Clark	Industrial Relations Act 1979 - Alleged breach of Act	Conviction entered, Penalty imposed	\$7725.00	\$691.00	

No. of Claim	Claimant	Respondent	Nature of Breach	Decision	Penalty	Costs	Wages
M 175/2020	Diane Spinks	Centurion Transport Co Pty Ltd	Fair Work Act 2009 - Alleged breach of Instrument; Fair Work Act 2009 - Alleged breach of Act	Claim Dismissed			
M 163/2021	Elizabeth McGroder	Securitee Pty Ltd t/a Rehabilitation Support Services	Long Service Leave Act 1958 - Alleged breach of Act	Claim Dismissed			
M 62/2021	Rajni Walia	Attree Pty Ltd	Fair Work Act 2009 - Alleged breach of Instrument; Fair Work Act 2009 - Alleged breach of Act	Costs Awarded to Claimant and Discontinued by Consent		\$2500.00	\$30000.00
M 19/2022	Luke William Ellis	Auscor Pty Ltd & Another	Fair Work Act 2009 - Alleged breach of Act; Long Service Leave Act 1958 - Alleged breach of Act	Claim Dismissed by Consent			
M 14/2022	Maciej Zenni	Department of Fire & Emergency Services	Industrial Relations Act 1979 - Alleged Breach of Instrument	Claim Dismissed			
M 223/2021	Billy Shay Camplin	Edison Group WA Pty Ltd	Fair Work Act 2009 - Alleged Breach of Instrument	Judgement by Default			\$2760.62
M 120/2021	Robert Cacciola	Serco Australia Pty Ltd	Fair Work Act 2009 - Alleged breach of Instrument	Claim Dismissed			
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	Respondent's Application for Costs Granted		Assessed if not Agreed	
M 200/2021	Daniel Sedgman	TRUSTEE FOR THE RYEM DISCRETIONARY TRUST & WATERBAY INVESTMENTS PTY LTD	Fair Work Act 2009 - Small Claim	Claim Dismissed			

WESTERN AUSTRALIAN INDUSTRIAL GAZETTE

COMPLAINTS / CLAIMS—*continued*

M 29/2020	Brian Robert Clifford-Smith	Keen Bros. (WA) Pty Ltd	Fair Work Act 2009 - Alleged breach of Act; Fair Work Act 2009 - Alleged breach of Instrument; Industrial Relations Act 1979; Minimum Conditions of Employment Act 1993 - Alleged breach of Acts	Claim Dismissed			
M 49/2022	Andrew Cairns	The Honourable William (Bill) Johnston Minister for Corrective Services	Industrial Relations Act 1979 - Alleged Breach of Instrument; Industrial Relations Act 1979 - Alleged Breach of Act	Claim Dismissed			
M 53/2022	Australian Municipal, Administrative, Clerical and Services Union	City of Stirling	Fair Work Act 2009 - Alleged breach of Instrument	Claim Dismissed by Consent			
M 15/2022	Chiara Catalucci, Department of Mines, Industry Regulation and Safet	Alannah Sherri Antich t/a Karmelas Cafe	Industrial relations Act 1979 - Alleged Breach of Instrument	Judgement by Default	\$4950	\$605	\$5994.64
M 60/2020	Stephen Mutch	KeenBros WA Pty Ltd	Fair Work Act 2009 - Alleged breach of Instrument	Claim Dismissed			
M 29/2020	Brian Robert Clifford-Smith	Keen Bros. (WA) Pty Ltd	Fair Work Act 2009 - Alleged breach of Act; Fair Work Act 2009 - Alleged breach of Instrument; Industrial Relations Act 1979; Minimum Conditions of Employment Act 1993 - Alleged breach of Acts	Respondent's Application for Costs Granted			Agreed or Taxed
M 218/2021	Construction, Forestry, Maritime, Mining & Energy Union	OSM Australia Pty Ltd	Fair Work Act 2009 - Alleged breach of Instrument; Fair Work Act 2009 - Alleged breach of Act	Claim Proven	\$1.00		
M 59/2021	Mr Rufus Sadat Anwar Gill	Goldfields Baptist College Incorporated & Another	Fair Work Act 2009 - Alleged breach of Instrument; Fair Work Act 2009 - Alleged breach of Act	Claim Dismissed			
M 30/2021	Briohny Barrett	Callegari Projects Pty Ltd	Fair Work Act 2009 - Alleged breach of Instrument; Fair Work Act 2009 - Alleged breach of Act	Claim partially proven	\$12000.00		\$8375.64