

WESTERN AUSTRALIAN INDUSTRIAL GAZETTE

COMPLAINTS / CLAIMS—continued

APPENDIX 1

COMPLAINTS / CLAIMS

The Industrial Magistrate, during the six months ending **December 31, 2023**, 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
M 110/2021	Kuan Chih (Henry) Huang	MICO Company Pty Ltd and Others	Fair Work Act 2009 - Alleged breach of Instrument; Long Service Leave Act 1958 - Alleged breach of Act	Judgment in favour of the Claimant by Consent			\$165,000.00
M 174/2021	Construction, Forestry, Mining and Energy Union of Workers	North Metropolitan Health Service	Industrial Relations Act 1979 (WA) - Alleged breach of Instrument	Claim Dismissed			
M 123/2021	Rosalba Vicario-Adams	Relative Networks Pty Ltd & Another	Long Service Leave Act 1958 - Alleged breach of Act; Fair Work Act 2009 - Alleged breach of Act	Claim Dismissed			
M 26/2023	Melody Thomas	Nexus Wealth Management Pty Ltd, as trustees for the NEXUS WEALTH MANAGEMENT TRUST (ABN: 41 328 119 534), trading as Nexus Wealth Management	Fair Work Act 2009 - Alleged breach of Act; Long Service Leave Act 1958 - Alleged breach of Act	Judgment by Default			\$10,524.77
M 29/2023	Adryan Rogner Bisan	Cheeky Monkey Brewery CO.	Fair Work Act 2009 - Small Claim	Judgment by Default			\$1,146.60
M 6/2022	Western Australian Prison Officers' Union of Workers	Minister for Corrective Services	Industrial Relations Act 1979 - Alleged breach of instrument	Claim Dismissed			
M 60/2021	Australian Medical Association Western Australia	Western Australia Country Health Service & Another	Industrial Relations Act 1979 - Alleged breach of Instrument	Claim Dismissed			
M 54/2022	Carl Ashley Parker	Swan Transit Services Pty Ltd	Fair Work Act 2009 - Alleged breach of Instrument	Contravention Proven; No Entitlement to Payment from any such Contravention.			
M 84/2023	Construction Industry Long Service Leave Payments Board	Safe Integrated Systems Pty Ltd	Alleged breach of Construction Industry Portable Paid Long Service Leave Act 1985	Judgment by Default	\$12,000.00		
M 95/2023	Construction, Forestry, Mining and Energy Union of Workers	Qube Ports Pty Ltd	Fair Work Act 2009 - Alleged breach of Instrument	Claim Admitted	\$ 936.00		

WESTERN AUSTRALIAN INDUSTRIAL GAZETTE

COMPLAINTS / CLAIMS—*continued*

M 101/2022	Construction, Forestry, Maritime, Mining, and Energy Union	Qube Ports Pty Ltd (ABN: 46 123 021 492)	Fair Work Act 2009 - Alleged breach of Instrument; Fair Work Act 2009 - Alleged breach of Act	Claim Admitted	\$11,300.00
M 49/2023	Construction Industry Long Service Leave Payments Board	Perina Group Pty Ltd	Alleged breach of Construction Industry Portable Paid Long Service Leave Act 1985	Claim Admitted	\$4000.00
M 72/2023	Arc Holdings (WA) Pty Ltd (ACN 076 523 487)	Industrial Inspector Chiara Catalucci	Industrial Relations Act 1979 - Review of Compliance Notice Pursuant to section 84U	Compliance Notice Confirmed	
M 22/2022	Western Australian Prison Officers' Union of Workers	Minister for Corrective Services	Minimum Conditions of Employment Act 1993 - Alleged Breach of Act; Industrial Relations Act 1979 - Alleged Breach of Instrument	Claim Proven, Caution Issued	
M 34/2023	Construction, Forestry, Maritime, Mining, and Energy Union	DP World (Fremantle) Limited	Fair Work Act 2009 - Alleged breach of Instrument	Penalty Issued	\$16,650.00
M 35/2023	Construction, Forestry, Maritime, Mining, and Energy Union	DP World (Fremantle) Limited	Fair Work Act 2009 - Alleged breach of Instrument	Penalty Issued	\$8,250.00
M 91/2023	Kevin Fernihough	Fremantle Sailing Club	Long Service Leave Act 1958 - Alleged breach of Act	Claim Dismissed	
M 102/2022	Western Australian Police Union of Workers	Commissioner of Police, Western Australia Police Force	Industrial Relations Act 1979 - Alleged Breach of Instrument	Claim Dismissed	
M 103/2022	Western Australian Police Union of Workers	Commissioner of Police, Western Australia Police Force	Industrial Relations Act 1979 - Alleged Breach of Instrument	Claim Dismissed	
M 3/2023	Britleigh Amelia Burton-Bee	Peta Gnech	Industrial Relations Act 1979 - Alleged breach of Instrument	Claim Partially Admitted	\$1332.93