

**APPENDIX 1
COMPLAINTS / CLAIMS**

The Industrial Magistrate, during the six months ending **December 31, 2024**, 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
No. of Claim	Claimant	Respondent	Nature of Breach	Decision	Penalty	Costs	Wages
M 16/2024	Anna-Maree Grace Ladyman	Sai Group of Businesses Pty Ltd T/as Premier Hotel	Long Service Leave Act 1958 - Alleged breach of Act	Claim proven			\$8,569.76
M 54/2024	Yichen Yu	The Blasta Group Pty. Ltd.	Fair Work Act 2009 - Alleged breach of Instrument	Penalty issued	\$9,000.00		
M 65/2023	Jason Jowett	Coastal R.E. Pty Ltd atf Coastal Unit 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	Pecuniary penalty ordered; Respondent's application for set-off granted in part; Respondent cautioned	\$7,000.00		-\$20,266.98
M 129/2022	Raymond Weeda	Silverhorse Technologies Pty Ltd	Long Service Leave Act 1958 - Alleged Breach of Act	Claim dismissed			
M 76/2022 & M 91/2022	Construction, Forestry and Maritime Employees 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	Pecuniary penalty ordered	\$7,500.00		
M 119/2023	Construction, Forestry and Maritime Employees Union	Qube Ports Pty Ltd	Fair Work Act 2009 - Alleged breach of Instrument	Pecuniary penalty ordered	\$6,000.00		
M 45/2024	Margaret Thomas	Retirees WA (Inc)	Long Service Leave Act 1958 - Alleged breach of Act	Claim and counterclaim dismissed by consent			
M 126/2023	Construction, Forestry and Maritime Employees Union	Qube Ports Pty Ltd	Fair Work Act 2009 - Alleged breach of Instrument	Claim dismissed			
M 103/2024	Emma Williams	SR ALLAN PTY LTD T/A Wongan Hills Hardware	Fair Work Act 2009 - Small Claim	Claim partially admitted			\$6,950.62
M 118/2024	Celine Yong	Cannington Medical Pharmacy Pty Ltd	Fair Work Act 2009 - Small Claim	Claim partially admitted			\$1,831.14
M 10/2024 & M 11/2024	The Australian Workers' Union	OSM Australia Pty Ltd	Fair Work Act 2009 - Alleged breach of Instrument	Pecuniary penalty ordered	\$1,700.00		
M 14/2024	Daniel Summers	PHI International Australia Pty Ltd (ACN: 008 932 189)	Fair Work Act 2009 - Alleged breach of Act; Fair Work Act 2009 - Alleged breach of Instrument	Claim dismissed			
M 144/2023	Construction, Forestry and Maritime Employees Union	DP World (Fremantle) Limited and Another	Fair Work Act 2009 - Alleged breach of Instrument; Fair Work Act 2009 - Alleged breach of Act	Dismissed by consent			

WESTERN AUSTRALIAN INDUSTRIAL GAZETTE

COMPLAINTS / CLAIMS—*continued*

M 59/2024	Mr Francesco Canestri	Stocco Holdings (WA) Pty Ltd & Others	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	Dismissed by consent	
M 145/2023	Kathryn Shannon	Paediatric Nursing Services Ltd	Fair Work Act 2009 - Alleged breach of Act	Judgment by default	\$9,978.35
M 93/2024	Alya Hunter	Queensbay Pty Ltd trading as Emperors Crown Hostel and Others	Fair Work Act 2009 - Alleged breach of Act; Fair Work Act 2009 - Alleged breach of Instrument	Dismissed by consent	
M 118/2024	Celine Yong	Cannington Medical Pharmacy Pty Ltd	Fair Work Act 2009 - Small Claim	Orders issued by consent	\$8,963.53
M 108/2024	Graham Leslie Baldisseri	Kalgoorlie Mine Management Pty Ltd (ACN 009 235 625) (ABN 57 009 235 625)	Fair Work Act 2009 - Small Claim	Orders issued by consent	\$7,500.00
M 65/2024	Josephine Sharon Hoyne	Strata Administration Services Pty Ltd ABN 73 082 419 645	Long Service Leave Act 1958 - Alleged breach of Instrument	Claim admitted; judgment entered for the claimant	\$3,485.35
M 115/2024	Kyna Harwood	Anthony Okely as Trustee for Kakadu Holdings Discretionary Trust Trading as Okely Southwest Transport	Fair Work Act 2009 - Alleged breach of Act	Claim admitted; judgment entered for the claimant	\$6,067.82
M 112/2023	United Workers Union	Catholic Homes Inc (ABN 49 389 819 484) & Another	Fair Work Act 2009 - Alleged breach of Act; Fair Work Act 2009 - Alleged breach of Instrument	Discontinued by consent	
M 132/2024	Sandeep Kapoor	Oz Material Testing Pty Ltd (ACN 628 851 589) & Another	Fair Work Act 2009 - Alleged breach of Instrument; Fair Work Act 2009 - Alleged breach of Act	Orders issued by consent	\$20,000.00
M 142/2023	Mr Barry Hughes	East Metropolitan Health Service	Industrial Relations Act 1979 - Alleged breach of Act	Claim dismissed	
M 130/2024	Faith Hui Xin Tee	Armadale Medical Imaging Pty Ltd	Fair Work Act 2009 - Small Claim	Judgment by default	\$13,932.88
M 145/2024	Andrea Quattrone	RM Technology Pty Ltd	Fair Work Act 2009 - Alleged breach of Instrument; Fair Work Act 2009 - Alleged breach of Act	Judgment by default, respondent to pay an amount to be determined	
M 2/2024	Construction, Forestry and Maritime Employees Union	Qube Ports Pty Ltd	Fair Work Act 2009 - Alleged breach of Instrument	Claim proven; Claim adjourned on the issue of quantum and penalty	
M 103/2021	Daniel Benjamin Cannon	Euro Car Parts Pty. Limited	Fair Work Act 2009 - Alleged breach of Act	Respondent's application to set aside default judgment dismissed; Order 1 issued on 18 August 2022 is reinstated	
M 141/2024	Andrew Luu	Armadale Medical Imaging	Fair Work Act 2009 - Small Claim	Claim dismissed	

COMPLAINTS / CLAIMS—*continued*

M 163/2024	Noah Henderson	Mader Group	Fair Work Act 2009 – Small Claim	Claim admitted; judgment entered for the claimant	\$2,115.00
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