

## APPENDIX 1 COMPLAINTS / CLAIMS

The Industrial Magistrate, during the six months ending December 31, 2010, 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 and the Workplace Relations Act 1996 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 25/2009	Ning Wei Lei	VST Pty Ltd	Workplace Relations Act 1996 - Alleged breach of Restaurant Tearoom and Catering Workers' Award 1979 Claim for wages at the rates specified by the Award/NAPSA.	Claim proved			\$27,424.66
M 26/2009	Kenny Meng Wai Ng	VST Pty Ltd	Workplace Relations Act 1996 - Alleged breach of Restaurant Tearoom and Catering Workers' Award 1979 Claim for wages at the rates specified by the Award/NAPSA.	Claim proved			\$84,056.25
M 32/2009	Liquor Hospitality and Miscellaneous Union, Western Australian Branch	Minister for Education	Alleged breach of the Cleaners and Caretakers (Government) Award 1975	Claim proved Caution issued			
M 131/2009	Cotter Family Trust T/A Tilt-a-Crane	R.D. Containers & Shipping (universal Moving)	Enforcement of Commission Order	Claim struck out			
M 12/2010	Liquor Hospitality and Miscellaneous Union	Daycare Australia	Fair Work Act 2009, Workplace Relations Act 1996 - Alleged breach of the Notional Agreement Preserving the Childrens' Services (Private) Award 2006 Childrens' Services Award 2010	Penalty imposed	\$16,500		
M 15/2010	Liquor Hospitality and Miscellaneous Union, West Australian Branch	Middle Swan Primary Parents & Citizens Association (Inc.) Deficient	Industrial Relations Act 1979, Workplace Relations Act 1996 - Alleged Breach of Restaurant Tearoom and Catering Workers Award Notional Agreement Preserving the State Restaurant Tearoom and Catering Workers Award	Discontinued			
M 19/2010	Tyson Cross	Ian Fraiser T.A Tait and Co	Long Service Leave Act 1958 - Alleged Breach of Act	Memorandum of Consent			
M 21/2010	Josephine Parry	MMP Management Services Pty Ltd	Alleged breach of NAPSA	Discontinued			
M 25/2010	Anna Maree Bakaj	Cannstore Pty Ltd A.C.N. 129 870 220 Brendan Olley Peter Collins	Fair Work Act - alleged breach of the General Retail Industry Award 2010	Discontinued			
M 26/2010	Steven Mehew	Cannstore Pty Ltd A.C.N. 129 870 220 Brendan Olley Peter Collins	Fair Work Act - alleged breach of the General Retail Industry Award 2010	Discontinued			
M 27/2010	Kaara Wikaira	Cannstore Pty Ltd A.C.N. 129 870 220 Brendan Olley Peter Collins	Fair Work Act - alleged breach of the General Retail Industry Award 2010	Discontinued			
M 32/2010	Jeffrey Loel Townend, Department of Commerce	Lisa Tran	Industrial Relations Act 1979 - alleged breach of Act	Judgement by Default Penalty imposed	\$500.00		
M 37/2010	Debra Lee Richardson, Department of Commerce	Cliff White as the Trustee for the Kreative Family Trust trading as Domino's Pizza Morley	Industrial Relations Act 1979 - alleged breach of the Minimum Conditions of Employment Act 1993	Judgement by Default	\$600.00	\$99.00	\$2,033.34