

**APPENDIX 1
COMPLAINTS / CLAIMS**

The Industrial Magistrate, during the six months ending **December 31, 2014**, 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 2/2014	Ryan Benjamin Westaway	Ambrosini Professionals Placements Pty Ltd	Fair Work Act 2009	Discontinued			
M 5/2014	Chelsea Andreotta	Out of Bounds Australia Pty Ltd	Fair Work Act 2009	Discontinued			
M 22/2014	United Voice	Café Georgiou	Fair Work Act 2009	Discontinued			
M 24/2014	Shaun Matthew Chatters	Allison Sparham	Industrial Relations Act 1979	Judgement by Default			\$5340
M 25/2014	Kevin Parr	Australian Borehole Imagery & Mapping Solutions Pty Ltd T/A ABIM Solutions	Fair Work Act 2009	Discontinued			
M 26/2014	Benjamin Spender	Australian Borehole Imagery & Mapping Solutions Pty Ltd T/A ABIM Solutions	Fair Work Act 2009	Discontinued			
M 27/2014	Shannon Lindsay	Zimban Pty Ltd trading as Lorraine's Parlour	Fair Work Act 2009 – Small Claim	Claim Proven		\$40.00	\$3443.73
M 28/2014	Simon Clark	Australian Borehole Imagery & Mapping Solutions Pty Ltd T/A ABIM Solutions	Fair Work Act 2009	Discontinued			
M 37/2014	Construction Industry Long Service Leave Payments Board	Stephen Macek	Construction Industry Portable Paid Long Service Leave Act 1985	Discontinued			
M 38/2011	United Voice WA	The Director General Department of Education	Industrial Relations Act 1979	Claim Proven	\$500.00		
M 40/2014	Construction Industry Long Service Leave Payments Board	TJA Roofing Pty Ltd	Construction Industry Portable Paid Long Service Leave Act 1985	Discontinued			
M 42/2014	Construction Industry Long Service Leave Payments Board	JBP Construction Pty Ltd	Construction Industry Portable Paid Long Service Leave Act 1985	Discontinued			
M 43/2014	Construction Industry Long Service Leave Payments Board	Kozicki Corporation Pty Ltd	Construction Industry Portable Paid Long Service Leave Act 1985	Discontinued			
M 44/2014	Construction Industry Long Service Leave Payments Board	KI Recruitment Pty Ltd	Construction Industry Portable Paid Long Service Leave Act 1985	Judgement by Default	\$2500		
M 46/2014	Construction Industry Long Service Leave Payments Board	Civil Contracting (Aust) Pty Ltd	Construction Industry Portable Paid Long Service Leave Act 1985	Discontinued			
M 48/2014	Construction Industry Long Service Leave Payments Board	Tyson Grant	Construction Industry Portable Paid Long Service Leave Act 1985	Judgement by Default	\$500		
M 51/2014	Transport Workers' Union of Australia	Fremantle Freight & Storage Pty Ltd	Fair Work Act 2009	Discontinued			
M 57/2014	Construction Industry Long Service Leave Payments Board	KI Recruitment Pty Ltd	Construction Industry Portable Paid Long Service Leave Act 1985	Dismissed			

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COMPLAINTS / CLAIMS—*continued*

No. of Claim	Claimant	Respondent	Nature of Breach	Decision	Penalty	Costs	Wages
M 59/2014	Construction Industry Long Service Leave Payments Board	Benjamin Paul Overton	Fair Work Act 2009	Discontinued			
M 60/2014	Construction Industry Long Service Leave Payments Board	The Professional Roofing Company Pty Ltd	Construction Industry Portable Paid Long Service Leave Act 1985	Judgement by Default	\$750		
M 62/2014	Construction Industry Long Service Leave Payments Board	Norsu Holdings Pty Ltd	Construction Industry Portable Paid Long Service Leave Act 1985	Discontinued			
M 65/2014	Claudette Dold	International Health & Medical Services	Fair Work Act 2009	Discontinued			
M 66/2014	Kevin Hetherington	VMEC Pty Ltd	Fair Work Act 2009	Discontinued			
M 67/2014	United Voice WA	The Minister for Health in his incorporated capacity under s.7 of the Hospitals and Health Services Act 1927 (WA) as the Hospitals formerly comprised in the Metropolitan Health Service Board	Industrial Relations Act 1979	Discontinued			
M 68/2014	Sonia Miriam Bannasar	Colourbox Digital Pty Ltd	Fair Work Act 2009	Discontinued			
M 72/2014	Herewini Manu Himiona Pou	SIG national PTY LTD	Fair Work Act 2009	Discontinued			
M 73/2014	Jamie J Mula	Zastam Pty Ltd	Fair Work Act 2009	Discontinued			
M 74/2012	United Voice WA	The Director General Department of Education	Industrial Relations Act 1979	Discontinued			
M 75/2014	Glen Rodney Dusenbergl	G & A Lombardi Pty Ltd (CAN 009 007 687)	Fair Work Act 2009 – Alleged breach of Award	Claim proven in part			\$13.50
M 75/2014	Helen Ho	Forezzi Pty Ltd	Fair Work Act 2009 – Small Claim	Discontinued			
M 76/2014	Agnes Poon	Forezzi Pty Ltd	Fair Work Act 2009 – Small Claim	Discontinued			
M 79/2014	The Australian Rail, Tram and Bus Industry Union of Employees, West Australian Branch	The Public Transport Authority of Western Australia	Industrial Relations Act 1979	Discontinued			
M 82/2014	Transport Workers' Union of Australia	G4S Solutions Australia	Fair Work Act 2009	Discontinued			
M 83/2014	James C Sichone	Kenross Pty Ltd (CAN 009 280 684 Trading as TMS Services)	Fair Work Act 2009	Claim Settled			\$3250.00
M 87/2014	Maria Demarte	AHS Hospitality Pty Ltd	Fair Work Act 2009 – Breach of Act	Discontinued			
M 88/2014	Sandra McDougall	Gemini Accident Repair Centres Pty Ltd	Fair Work Act 2009	Discontinued			
M 89/2014	Dallas Michael Gilbert	Oilfield Transport services Pty Ltd	Fair Work Act 2009	Discontinued			
M 91/2014	Alex Carlyle Humble	Hi Constructions (Aust) Pty Ltd	Fair Work Act 2009	Discontinued			
M 93/2014	Andrea Edwards	Sorrento Family Practice Pty Ltd	Fair Work Act 2009	Discontinued			
M 96/2014	Construction Industry Long Service Leave Payments Board	Veolia Water Solutions & Technologies (Australia) Pty Ltd	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 97/2014	Construction Industry Long Service Leave Payments Board	Cona-Struct Pty Ltd	Construction Industry Portable Paid Long Service Leave Act 1985	Discontinued			
M 98/2014	Construction Industry Long Service Leave Payments Board	PCG Irrigation Contractors Pty Ltd	Construction Industry Portable Paid Long Service Leave Act 1985	Discontinued			
M 99/2014	Construction Industry Long Service Leave Payments Board	R & M Electrical Pty Ltd	Construction Industry Portable Paid Long Service Leave Act 1985	Discontinued			
M 99/2012	United Voice WA	The Director General Department of Education	Industrial Relations Act 1979	Discontinued			
M 100/2014	Construction Industry Long Service Leave Payments Board	Diamond Security Fencing Pty Ltd	Construction Industry Portable Paid Long Service Leave Act 1985	Discontinued			
M 101/2014	Construction Industry Long Service Leave Payments Board	Ellgee Enterprises Pty Ltd	Construction Industry Portable Paid Long Service Leave Act 1985	Discontinued			
M 102/2014	Construction Industry Long Service Leave Payments Board	Vertical Build Pty Ltd	Construction Industry Portable Paid Long Service Leave Act 1985	Judgement by Default	\$500		
M 103/2014	Construction Industry Long Service Leave Payments Board	CBI Constructors Pty Ltd	Construction Industry Portable Paid Long Service Leave Act 1985	Claim Proven	\$3000		
M 104/2014	Construction Industry Long Service Leave Payments Board	Jenkins Roofing Pty Ltd	Construction Industry Portable Paid Long Service Leave Act 1985	Discontinued			
M 105/2014	Construction Industry Long Service Leave Payments Board	Concealed Interiors & Exteriors Pty Ltd	Construction Industry Portable Paid Long Service Leave Act 1985	Discontinued			
M 106/2014	Construction Industry Long Service Leave Payments Board	North West Pool Centre Pty Ltd	Construction Industry Portable Paid Long Service Leave Act 1985	Discontinued			
M 107/2014	Construction Industry Long Service Leave Payments Board	Fusion Drilling Pty Ltd	Construction Industry Portable Paid Long Service Leave Act 1985	Judgement by Default	\$500		
M 110/2014	Jemini Sione	Arcturus Nominees Pty Ltd t/as Polaris Reality	Fair Work Act 2009	Discontinued			
M 111/2014	Mr Daniel Brady	Classic Contractors Pty Ltd	Fair Work Act 2009 – Alleged breach of Act	Discontinued			
M 112/2014	Liesl McGann	Mr Sandeep Kumar, Classic Cuts Barbers	Industrial Relations Act 1979 – Enforcement of WAIRC order	Judgement by Default		\$10	\$17,730.54
M 113/2014	Julia Osredecki	Meadow Corporation Pty Ltd t/as SNS Nursing Service	Industrial Relations Act 1979 – Alleged breach of Long Service Leave Act 1958	Claim Dismissed			
M 117/2014	Transport Workers' Union of Australia	Hobbs Heavy Haulage Pty Ltd	Fair Work Act 2009	Discontinued			
M 117/2013	Luke Terrence Jones	Midwest Auto Group Pty Ltd (ACN 124 354 721)	Fair Work Act 2009	Claim Dismissed			
M 119/2014	Kelly Grace	Fertility Specialists South Pty Ltd	Fair Work Act 2009 – Alleged breach of Instrument	Discontinued			

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COMPLAINTS / CLAIMS—*continued*

No. of Claim	Claimant	Respondent	Nature of Breach	Decision	Penalty	Costs	Wages
M 120/2014	Claire Allen	Fertility Specialists South Pty Ltd	Fair Work Act 2009 – Alleged breach of Instrument	Discontinued			
M 124/2014	Construction Industry Long Service Leave Payments Board	Pazazz Pty Ltd	Construction Industry Portable Paid Long Service Leave Act 1985	Discontinued			
M 125/2014	Construction Industry Long Service Leave Payments Board	Rosell Pty Ltd	Construction Industry Portable Paid Long Service Leave Act 1985	Discontinued			
M 126/2014	Construction Industry Long Service Leave Payments Board	TMS Electrical Pty Ltd	Construction Industry Portable Paid Long Service Leave Act 1985	Judgement by Default	\$750.00		
M 126/2014	Transport Workers' Union of Australia	ISS Security Pty Limited	Fair Work Act 2009 – Alleged breach of Award	Discontinued			
M 127/2014	Construction Industry Long Service Leave Payments Board	S. Sarich and Sons Pty Ltd	Construction Industry Portable Paid Long Service Leave Act 1985	Judgement by Default	\$750.00		
M 128/2014	Construction Industry Long Service Leave Payments Board	Award Carpentry & Patios Pty Ltd	Construction Industry Portable Paid Long Service Leave Act 1985	Judgement by Default	\$500.00		
M 129/2014	Construction Industry Long Service Leave Payments Board	Hillmore Holdings Pty Ltd	Construction Industry Portable Paid Long Service Leave Act 1985	Discontinued			
M 130/2014	Construction Industry Long Service Leave Payments Board	Windy Valley Enterprises Pty Ltd	Construction Industry Portable Paid Long Service Leave Act 1985	Discontinued			
M 131/2014	Construction Industry Long Service Leave Payments Board	Epcor Industries Pty Ltd	Construction Industry Portable Paid Long Service Leave Act 1985	Discontinued			
M 131/2013	United Voice WA	The Minister for Health in his incorporated capacity under s.7 of the Hospitals and Health Services Act 1927 (WA) as the Hospitals formerly comprised in the Metropolitan Health Service Board	Industrial Relations Act 1979	Discontinued			
M 132/2014	Construction Industry Long Service Leave Payments Board	Woods Painting Pty Ltd	Construction Industry Portable Paid Long Service Leave Act 1985	Discontinued			
M 133/2014	Construction Industry Long Service Leave Payments Board	Excel Kerbing Pty Ltd	Construction Industry Portable Paid Long Service Leave Act 1985	Discontinued			
M 134/2014	Construction Industry Long Service Leave Payments Board	Marshalls Power (WA) Pty Ltd	Construction Industry Portable Paid Long Service Leave Act 1985	Discontinued			
M 135/2014	Construction Industry Long Service Leave Payments Board	Christopher Geoffrey Simunovich	Construction Industry Portable Paid Long Service Leave Act 1985	Discontinued			
M 136/2014	Construction Industry Long Service Leave Payments Board	Globe Construction Group & Civil Contractors Pty Ltd	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 137/2014	Construction Industry Long Service Leave Payments Board	Efficient Bricklaying Pty Ltd	Construction Industry Portable Paid Long Service Leave Act 1985	Discontinued			
M 138/2014	Construction Industry Long Service Leave Payments Board	Tracs (WA) Pty Ltd	Construction Industry Portable Paid Long Service Leave Act 1985	Judgement by Default	\$500.00		
M 139/2014	Construction Industry Long Service Leave Payments Board	4 Seasons Outdoor Living Pty Ltd	Construction Industry Portable Paid Long Service Leave Act 1985	Discontinued			
M 140/2014	Construction Industry Long Service Leave Payments Board	Jason Noel Mounsey	Construction Industry Portable Paid Long Service Leave Act 1985	Discontinued			
M 141/2014	Construction Industry Long Service Leave Payments Board	Consolidation Enterprises Pty Ltd	Construction Industry Portable Paid Long Service Leave Act 1985	Discontinued			
M 142/2014	Construction Industry Long Service Leave Payments Board	Birchleigh Holdings Pty Ltd	Construction Industry Portable Paid Long Service Leave Act 1985	Discontinued			
M 143/2014	Construction Industry Long Service Leave Payments Board	Civil Contracting (Aust) Pty Ltd	Construction Industry Portable Paid Long Service Leave Act 1985	Discontinued			
M 144/2014	Construction Industry Long Service Leave Payments Board	Grant Nicholson	Construction Industry Portable Paid Long Service Leave Act 1985	Discontinued			
M 145/2014	Construction Industry Long Service Leave Payments Board	Fourie Investments Pty Ltd	Construction Industry Portable Paid Long Service Leave Act 1985	Discontinued			
M 146/2014	Construction Industry Long Service Leave Payments Board	John Karelis	Construction Industry Portable Paid Long Service Leave Act 1985	Judgement by Default	\$500.00		
M 148/2014	Amy Mitchell	Healthy Nut Café Pty Ltd	Fair Work Act 2009 – Small Claim	Judgement by Default		\$55.00	\$304.75
M 154/2014	Jeremy O'Connor	Leighton Contractors Pty Ltd	Fair Work Act 2009 – Alleged breach of Act	Discontinued			
M 155/2014	Amir Bahrami	Trident Australasia Pty Ltd	Industrial Relations Act 1979 – Enforcement of Commission Order	Judgement by Default			\$17,602.00
M 155/2014	Amir Bahrami	Trident Australasia Pty Ltd	Industrial Relations Act 1979 – Enforcement of Commission Order	Discontinued			
M 166/2013	Kevin Conway	Fircroft Australia Pty Ltd	Fair Work Act 2009	Claim Dismissed by Consent			
M 168/2013	Karen Stobie	Pacific Industrial Company	Industrial Relations Act 1979	Discontinued			
M 171/2014	Ian Bonaventure Van Der Wall	Franco De Luca (Falcon Protective Services)	Industrial Relations Act 1979 – Alleged breach of Security Services Industry Award 2010	Discontinued			
M 187/2013	Martin Bodor	Boallia Rural Holdings Pty Ltd	Industrial Relations Act 2009	Discontinued			
M 189/2013	Wei-Liang Liao (Alex)	Knick Pty Limited	Fair Work Act 2009 – Small Claim	Claim Proven		\$58.00	\$1709.13